

Colorado Supreme Court 2 East 14th Ave., Fourth Floor Denver, CO 80203	RECEIVED AUG 12 2009 ATTORNEY REGULATION
Office of Attorney Regulation Counsel 2008UPL 15	
Petitioner: The People of the State of Colorado, v. Respondents: Charles Douchette and Liberty Legal Services.	Supreme Court Case No: 2009SA18
ORDER OF COURT	

Upon consideration of the Petition for Injunction, the Order and Rule to Show Cause, the Proof of Service, the Answer to Petition for Injunction, the Order of Court and the Report of Hearing Master Pursuant to C.R.C.P. 236(a) filed in the above cause, and now being sufficiently advised in the premises,

IT IS ORDERED that said Respondents, CHARLES DOUCHETTE and LIBIRTY LEGAL SERVICES shall be and the same hereby are ENJOINED from engaging in the unauthorized practice of law.

IT IS FURTHER ORDERED that the Respondents, CHARLES DOUCHETTE and LIBERTY LEGAL SERVICES are assessed costs in the amount of \$354.50. Said costs to be paid to the Office of Attorney Regulation Counsel, within thirty (30) days of the date of this order.

IT IS FURTHER ORDERED that the Respondents, CHARLES DOUCHETTE and LIBERTY LEGAL SERVICES shall REFUND the following individuals as detailed in the Report of the Hearing Master,

Paul Boakye
Thelma Anthony
Philip Lysiak
Fayette Hamilton
Karen Hogle
Suncha Borrás
Cecilia Gonzalez

IT IS FURTHER ORDERED that Respondents, CHARLES DOUCHETTE and LIBERTY LEGAL SERVICES shall REFUND any other prior clients of respondents who initiate a request for investigation with the People as detailed in the Report of the Hearing Master.

IT IS FURTHER ORDERED that this court WAIVES any fines in this matter pursuant to C.R.C.P. 236(a).

BY THE COURT, AUGUST 10, 2009.



Case Number: 2009SA18

Caption: People v Douchette, Charles

CERTIFICATE OF SERVICE

Copies mailed via the State's Mail Services Division on August 12, 2009. *WRC*

Charles Douchette
2928 Main St.
Colorado Spgs, CO 80907

Honorable William R Lucero
Office of the Presiding Disciplinary
Judge
1560 Broadway, Suite 675
Denver, CO 80202

Liberty Legal Services
2910 Wood Ave.
Colorado Spgs, CO 80907

Lisa E Frankel
OFFICE OF ATTORNEY
REGULATION
1560 Broadway Ste 1800
Denver, CO 80202

<p style="text-align: center;">SUPREME COURT, STATE OF COLORADO</p> <p style="text-align: center;">ORIGINAL PROCEEDING IN UNAUTHORIZED PRACTICE OF LAW BEFORE THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE 1560 BROADWAY, SUITE 675 DENVER, CO 80202</p>	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">JUL 28 2009</p> <p style="text-align: center;">ATTORNEY REGULATION</p>
<p>Petitioner: THE PEOPLE OF THE STATE OF COLORADO,</p> <p>Respondents: CHARLES DOUCHETTE AND LIBERTY LEGAL SERVICES</p>	<p>Case Number: 09SA018</p>
<p>REPORT OF HEARING MASTER PURSUANT TO C.R.C.P. 236(a)</p>	

This matter is before the Presiding Disciplinary Judge (“PDJ”) on an “Order of Court” issued by the Colorado Supreme Court (“Supreme Court”) on March 19, 2009. The Supreme Court referred this matter to the PDJ to act as Hearing Master pursuant to C.R.C.P. 234(f).

I. PROCEDURAL HISTORY

Lisa E. Frankel, Office of Attorney Regulation Counsel (“the People”), filed a “Petition for Injunction” with the Supreme Court on January 21, 2009. On January 26, 2009, the Supreme Court issued an “Order and Rule to Show Cause” and ordered Charles Douchette and Liberty Legal Services (“Respondents”) to show cause within twenty days “why they should not be enjoined from engaging in the unauthorized practice of law in the State of Colorado.”

On March 9, 2009, Respondents answered the petition and requested that the Supreme Court deny the People’s request for injunction. The Supreme Court referred this matter to the PDJ on March 19, 2009.

On April 9, 2009, the PDJ held an At-Issue Conference to establish a uniform, court-supervised procedure involving case management. Ms. Frankel appeared on behalf of the People and Charles Douchette appeared *pro se*. The PDJ scheduled this matter for a hearing to be held on August 18, 2009.

II. FINDINGS OF FACT

On July 10, 2009, the parties tendered a “Stipulation, Agreement and Affidavit Consenting to Order of Injunction” to the PDJ. For purposes of this

report, and in the interests of judicial economy, the PDJ accepted the following findings of fact set forth in the stipulation.

Neither respondent is licensed to practice law in the State of Colorado. Respondents are not otherwise authorized by federal or state law to engage in any practice of law. Respondents are not accredited by the United States Bureau of Immigration Appeals to assist others in immigration law matters. Respondent Douchette operated under the trade name of Liberty Legal Services to select and prepare immigration forms for others. Respondent Douchette also performs marketing for other immigration consultants. Respondent understands that if he continues to provide this marketing, he may be aiding others in the unauthorized practice of law.

On January 22, 2008, Paul Boakye paid Liberty Legal Services \$350.00 to prepare immigration papers to get approval to bring his wife to the United States. Mr. Boakye completed an application by telephone and was told that he should receive copies of his paperwork within a few days to send to the United States Immigration Services.

After a couple of weeks, Mr. Boakye contacted Liberty Legal Services and notified them that he had not received anything in the mail from them since he completed the application. After the third contact, agents of Liberty Legal Services hung up the phone whenever he mentioned his name. Mr. Boakye never received any papers from Liberty Legal Services. Respondents have not refunded any money to him.

In September of 2007, Thelma Anthony paid Liberty Legal Services \$470.00 to prepare an I-90 form to renew her resident alien card. The person at Liberty Legal Services Ms. Anthony spoke with told her that when she received the application she should sign and mail it back to them, which she did.

Ms. Anthony called Liberty Legal Services numerous times from October 2007 through April 2008 with no response. She also wrote Liberty Legal Services a letter with no response. Ms. Anthony never received any papers from Liberty Legal Services. Respondents have not refunded any money to her.

III. CONCLUSIONS OF LAW AND RECOMMENDATIONS

The parties stipulated to an order of injunction in this matter as well as an order requiring that Respondents pay costs and refunds specifically set forth in paragraphs 7 through 11 of the stipulation. The PDJ reviewed the stipulation, and in the interests of judicial economy, **RECOMMENDS** that the Supreme Court **ACCEPT** it and **ENJOIN** Respondents from the unauthorized practice of law and from aiding and abetting others in the unauthorized practice of law.

The PDJ **RECOMMENDS** that the Supreme Court order Respondents to pay **COSTS** in the amount of \$354.50 within thirty (30) days of the Supreme Court's order of injunction.

The PDJ **RECOMMENDS** that the Supreme Court order Respondents to **REFUND** Paul Boakye the amount of \$350.00 and Thelma Anthony the amount of \$470.00 within sixty (60) days of the Supreme Court's order of injunction.

The PDJ **RECOMMENDS** that the Supreme Court order Respondents to **REFUND** the following clients of Liberty Legal Services if they provide proof to the People, within 120 days of the Supreme Court's order of injunction, that they have paid money to either of the Respondents. The People will have sole discretion to determine whether the clients have made sufficient proof of payment. Respondents shall make the refunds within sixty (60) days of the clients' proof of payment to the People.

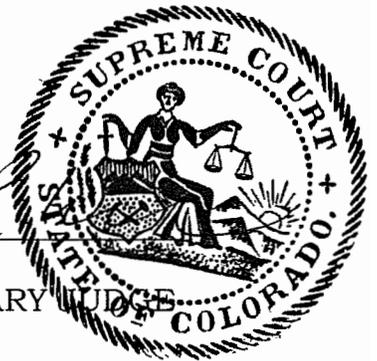
- a. Philip Lysiak in the amount of \$145.00;
- b. Fayette Hamilton in the amount of \$600.00;
- c. Karen Hogle in the amount of \$1,250.00;
- d. Suncha Borrás in the amount of \$145.00; and
- e. Ceclilia Gonzalez in the amount of \$350.00.

The PDJ **RECOMMENDS** that the Supreme Court order Respondents to **REFUND** any other prior clients of respondents who initiate a request for investigation with the People. The People shall give Respondents thirty (30) days to make a refund to those clients before initiating further action pursuant to the rules concerning Unauthorized Practice of Law.

Finally, the PDJ **RECOMMENDS** that the Supreme Court **WAIVE** any **FINES** in this matter pursuant to C.R.C.P. 236(a).¹

DATED THIS 27TH DAY OF JULY, 2009.


WILLIAM R. LUCERO
PRESIDING DISCIPLINARY JUDGE



¹ See C.R.C.P. 236(a) (A report from the Presiding Disciplinary Judge approving the parties' stipulation to injunction may be exempt from a fine).

