

People v. Sarah Jay Schielke. 23PDJ073. January 26, 2024.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and publicly censured Sarah Jay Schielke (attorney registration number 42077). The public censure took effect January 26, 2024.

Schielke sent a demand letter on behalf of a client—Schielke's close friend—to a lawyer whom the client alleged had injured her in February 2022 at a music concert in Mexico featuring the band, Phish. The client alleged that the lawyer, while naked, shoved the client and other crowd members when he attempted to rush the stage at the concert. In the letter, Schielke used demeaning and unprofessional language to refer to the lawyer, calling him a "violent psychopath"; "a violent asshole"; "an idiot"; "obnoxious"; "stupid"; "a shameless, ridiculous boasting shit"; "a terrible fucking attorney"; and "a disgrace to the Colorado Bar, the Phish community, and [his] family."

In the letter, Schielke requested that the lawyer pay Schielke's client \$50,000.00 and enter an agreement never to touch or contact the client again and to stay at least twenty-five feet away from the client at future Phish concerts. In exchange, Schielke's client would not sue the lawyer for claims arising from the incident or contact other potential plaintiffs from the incident about joining the client's case or litigating against the lawyer themselves. Schielke also wrote that her client would not disclose the incident to the lawyer's undergraduate university, potentially barring the lawyer from participating in future alumni events, nor would she make a formal complaint to the lawyer's employers. But if the lawyer declined the proposal, Schielke wrote, she would issue a press release with the complaint and an un-redacted video allegedly showing the lawyer engaged with security at the concert. In addition, her client would bring claims against the lawyer in federal district court and in Mexico as well as report the lawyer's conduct to the local police where the incident took place.

Through this conduct, Schielke violated Colo. RPC 4.4(a) (in representing a client, a lawyer must not use means that have no substantial purpose other than to embarrass, delay, or burden a third person) and Colo. RPC 4.5(a) (a lawyer must not threaten criminal, administrative, or disciplinary charges to obtain an advantage in a civil matter).

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