

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: May 11, 2020 CASE NUMBER: 2019SA209
Original Proceeding in Unauthorized Practice of law, 2019UPL37	
Petitioner: The People of the State of Colorado, v. Respondent: Christa Turnell.	Supreme Court Case No: 2019SA209
ORDER OF COURT	

Upon consideration of the Order Entering Default Judgment Under C.R.C.P. 55(b) and Report of Hearing Master Under C.R.C.P. 236(a) filed in the above cause, and now being sufficiently advised in the premises,

IT IS ORDERED that said Respondent, CHRISTA TURNELL shall be, and the same hereby are, ENJOINED from engaging in the unauthorized practice of law.

IT IS FURTHER ORDERED that the Respondent CHRISTA TURNELL is assessed costs in the amount of \$279.00. 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 Respondent, CHRISTA TURNELL pay restitution of \$535.88 to J.G., to accrue at the statutory rate of 8 percent per annum.

IT IS FURTHER ORDERED that a fine in the amount of \$1,500.00 be imposed.

BY THE COURT, MAY 11, 2020.

SUPREME COURT, STATE OF COLORADO ORIGINAL PROCEEDING IN THE UNAUTHORIZED PRACTICE OF LAW BEFORE THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE 1300 BROADWAY, SUITE 250 DENVER, CO 80203	
<hr/> Petitioner: THE PEOPLE OF THE STATE OF COLORADO Respondent: CHRISTA TURNELL	<hr/> Case Number: 19SA209
ORDER ENTERING DEFAULT JUDGMENT UNDER C.R.C.P. 55(b) AND REPORT OF HEARING MASTER UNDER C.R.C.P. 236(a)	

Before the Presiding Disciplinary Judge (“the PDJ”) is a “Motion for Entry of Default and Default Judgment” filed on February 20, 2020, by Jane Bonham Cox of the Office of Attorney Regulation Counsel (“the People”). Christa Turnell (“Respondent”) did not file a response.

I. PROCEDURAL HISTORY

In this unauthorized practice of law matter, the People filed a “Petition for Injunction” with the Colorado Supreme Court on September 25, 2019, alleging that Respondent engaged in the unauthorized practice of law and seeking restitution, fines for each incident of unauthorized practice of law, costs and expenses of these proceedings, and entry of an injunction. The Colorado Supreme Court ordered Respondent to show cause why she should not be enjoined from the unauthorized practice of law. When Respondent did not respond, the court issued an “Order of the Court” on January 9, 2020, referring this matter to the PDJ “to prepare a report setting forth findings of fact, conclusions of law, and recommendations” under C.R.C.P. 234(f) and 236(a).

The PDJ issued an “Order of Hearing Master Under C.R.C.P. 234-236” on January 13, 2020, requiring Respondent to answer the People’s petition on or before January 27, 2020. But Respondent did not file an answer. The People then filed their “Motion for Default and Default Judgment” on February 20, 2020, to which Respondent did not respond. The PDJ entered default against Respondent on March 24, 2020, and directed Respondent to file a response to the motion for default judgment on or before March 30, 2020. Respondent has not responded.

II. PETITIONER'S MOTION FOR DEFAULT AND DEFAULT JUDGMENT

The People have followed the procedure for defaults and default judgments set forth in C.R.C.P. 55 and 121 section 1-14 by showing valid service on Respondent; submitting an affidavit indicating that venue is proper and that Respondent is not a minor, an incapacitated person, an officer of the state, or in the military; establishing the amounts of restitution that are due; and filing a statement of costs. Accordingly, the PDJ **GRANTS** the People's motion and enters default judgment against Respondent under C.R.C.P. 55(b).

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The PDJ issues the following report to the Colorado Supreme Court under C.R.C.P. 236(a).

Factual Findings¹

Respondent is a Colorado resident who maintained a business address in Durango, Colorado during the events described below. Respondent is not licensed to practice law in Colorado or in any other state.

J.G. found Respondent through the website www.unbundledattorney.com, where Respondent represented that she was a family law attorney. J.G. hired Respondent to provide advice and representation in a contested action involving allocation of parental responsibilities. Respondent represented J.G. for four months during 2019, providing legal advice over email and at in-person meetings. Respondent billed her time at a rate of \$75.00 per hour, a purported discount from her normal \$175.00 hourly rate, and she issued invoices to J.G. in the name "Paralegal Services Office."² J.G. paid Respondent a total of \$505.00.

During the representation, Respondent reviewed documents J.G. had prepared and offered suggested revisions. Respondent also provided J.G. legal advice on several occasions, including counseling J.G. to file for a temporary restraining order against the child's father and to seek supervised visitation while the case was pending. In one email Respondent stated, "My job as attorney is to protect you in this justice system."³ Respondent's legal advice was often incorrect. For example, Respondent advised J.G. that she could travel out of state with the minor child, without the consent of the child's father or court authorization, and in violation of the temporary injunction.

On two occasions Respondent appeared in court on behalf of J.G. and represented to the trial court, on the record, that she was a licensed attorney. On June 3, 2019, Respondent appeared with J.G. for a permanent orders hearing. Respondent advised the court that she was currently suspended from the practice of law in Colorado but was appearing that day

¹ All factual findings are taken from the allegations set forth in the petition.

² Pet. ¶ 13.

³ Pet. ¶ 17.

pro hac vice, as her license was suspended for failure to pay her “Bar dues.”⁴ When the court specifically asked whether she was a licensed lawyer in Colorado, Respondent stated, “I am.”⁵ The court did not allow Respondent to represent J.G. that day and continued the permanent orders hearing.

On June 11, 2019, Respondent appeared before the court to represent J.G. at the rescheduled permanent orders hearing. Respondent informed the court that her license to practice law in Colorado had been reinstated. She also gave the clerk an entry of appearance form for the United States District Court for the District of Colorado, along with what she represented to be her Colorado attorney registration number.

The court called for a recess so it could review the Colorado Supreme Court attorney registration database. After failing to locate a licensed attorney in Colorado under Respondent’s name or registration number, the court called the Office of Attorney Regulation, which advised the court that no attorney with the last name “Turnell” was licensed to practice law in Colorado.

The court then questioned Respondent further and verified the spelling of her name. Respondent responded that she was licensed in Colorado, Utah, Idaho, and Wyoming. She also represented that her bar number was 87241. When the court questioned her about being suspended, Respondent stated, “I was suspended in Idaho for a period.”⁶ She said she intended to appear in Colorado *pro hac vice*, claiming, “I just failed to pay my Bar dues which I have now paid.”⁷ The court took another recess.

After the second recess, Respondent stated that her registration number was 8154. When the court pointed out that she had earlier said her number was 87241, Respondent extemporized “That was Utah, sorry.”⁸ The court asked her again for her registration number. She replied that it was 8541. The court confirmed the spelling of Respondent’s name yet again and asked whether her license was active. Respondent answered, “As far as I am aware of at this moment, it is. I just talked with the Bar this morning.”⁹

In response to further questioning from the court, Respondent stated that she graduated with a law degree from the University of Minnesota in 2001 and was first licensed in Colorado in 2006 under attorney registration number 8541. The court informed Respondent that registration number 8541 belongs to a man who was licensed in 1977 and is currently inactive. The court admonished Respondent, stating, “Ma’am, you’re not licensed to practice law. You’re trying to perpetrate a fraud on this court.”¹⁰ The court directed

⁴ Pet. ¶ 20.

⁵ Pet. ¶ 20.

⁶ Pet. ¶ 24.

⁷ Pet. ¶ 24.

⁸ Pet. ¶ 24.

⁹ Pet. ¶ 24.

¹⁰ Pet. ¶ 24.

Respondent to leave the courtroom immediately and informed her that her conduct would be reported.

After this incident, Respondent explained to J.G. in an email that she was licensed to practice law in Colorado in 2006. She maintained that, for her own protection, her name did not appear on the Colorado Supreme Court website, as she was once in an abusive relationship.

In addition to representing J.G., Respondent maintains a significant online presence holding herself out as a lawyer. Respondent appears in at least three LinkedIn profiles: “Christa Turnell, Attorney at Law at Self, Durango, Colorado”;¹¹ “Christa Turnell Law Practice Professional, Durango, Colorado”;¹² and “Christa Turnell, JD LLM, Patent professional seeking position in intellectual property, Durango Colorado.”¹³ Respondent’s profile on www.upwork.com describes her as an “Attorney and peer counselor”¹⁴ and includes the following comment: “I am a trial attorney who spent six years researching death penalty cases, mental health cases, and other criminal and civil matters.”¹⁵ Her hourly rate is listed on the website as \$80.00.

Respondent’s Facebook profile states that she is a litigation paralegal for “Paralegal Services.”¹⁶ Respondent’s user name on Twitter is @christalawyer. She posted one tweet describing herself as a “German speaking attorney who was devastated by psychiatric drugs.”¹⁷ During an online argument with staff of the New Mexico Board of Bar Examiners, Respondent asserted that she is licensed to practice law in Idaho, New Mexico, Wyoming, and Colorado.

Legal Standards Governing the Unauthorized Practice of Law

The Colorado Supreme Court, which exercises exclusive jurisdiction to define the practice of law within the State of Colorado,¹⁸ restricts the practice of law to protect members of the public from receiving incompetent legal advice from unqualified individuals.¹⁹ To practice law in the State of Colorado, a person must have a law license issued by the Colorado Supreme Court, unless a specific exception applies.²⁰

¹¹ Pet. ¶ 27.

¹² Pet. ¶ 27.

¹³ Pet. ¶ 27.

¹⁴ Pet. ¶ 28.

¹⁵ Pet. ¶ 28.

¹⁶ Pet. ¶ 29.

¹⁷ Pet. ¶ 30.

¹⁸ C.R.C.P. 228.

¹⁹ *Unauthorized Practice of Law Comm. v. Grimes*, 654 P.2d 822, 826 (Colo. 1982); see also *Charter One Mortg. Corp. v. Condra*, 865 N.E.2d 602, 605 (Ind. 2007) (“Confining the practice of law to licensed attorneys is designed to protect the public from the potentially severe consequences of following advice on legal matters from unqualified persons.”); *In re Baker*, 85 A.2d 505, 514 (N.J. 1952) (“The amateur at law is as dangerous to the community as an amateur surgeon would be.”).

²⁰ See C.R.C.P. 201-227.

Colorado Supreme Court case law holds that “an unlicensed person engages in the unauthorized practice of law by offering legal advice about a specific case, drafting or selecting legal pleadings for another’s use in a judicial proceeding without the supervision of an attorney, or holding oneself out as the representative of another in a legal action.”²¹ Further, one who acts “in a representative capacity in protecting, enforcing, or defending the legal rights and duties of another and in counseling, advising and assisting that person in connection with these rights and duties” engages in the practice of law.²²

Here, Respondent provided legal advice to J.G. about how she should proceed in her parental responsibilities allocation matter. Specifically, Respondent directed J.G. to request that the child’s father be granted only supervised visitation. Respondent also incorrectly advised J.G. that she need not abide by a temporary injunction and that she could take her minor child out of state without court authorization.

Respondent twice appeared before the trial court on J.G.’s behalf, falsely representing to the court that she was a lawyer licensed to practice law in Colorado. Even when repeatedly challenged by the court, Respondent continued to provide misleading and patently inaccurate information about her ability to practice law. Moreover, Respondent misled J.G. after her second appearance before the court. Respondent falsely told J.G. that her name was not included on the Colorado Supreme Court website for her own protection.

Respondent is not currently licensed to practice law in the State of Colorado. Nor was she once licensed. Respondent knowingly provided false registration information to the court. Attorney registration number 87241 is not a valid registration number. Attorney registration numbers 8154 and 8541 are assigned to other people, both men who are inactive lawyers.

Through her online presence Respondent continues to hold herself out as a lawyer to the public and thus as authorized to practice law. This creates a substantial ongoing risk of potential harm to others who may hire Respondent, and it jeopardizes the integrity of the legal profession and the judicial system in Colorado.

The PDJ concludes that Respondent, through the actions described above, engaged in the unauthorized practice of law on at least three separate occasions and should be enjoined from any further such conduct.

²¹ *People v. Shell*, 148 P.3d 162, 171 (Colo. 2006); see also *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.”); *People ex rel. Attorney General v. Castleman*, 88 Colo. 207, 207, 294 P.2d 535, 535 (1930) (holding an unlicensed person in contempt for engaging in the unauthorized practice of law by advertising himself as a lawyer); *People ex rel. Colo. Bar Ass’n v. Taylor*, 56 Colo. 441, 444, 138 P. 762, 764 (1914) (same).

²² *Shell*, 148 P.3d at 171 (quotation omitted).

Restitution, Fines, and Costs

C.R.C.P. 236(a) provides that if a hearing master makes a finding of the unauthorized practice of law, the hearing master shall also recommend that the Colorado Supreme Court impose a fine ranging from \$250.00 to \$1,000.00 for each such incident.²³ The People state that a fine of \$250.00 per each incident of unauthorized practice of law (once for providing legal advice to J.G. and twice for appearing before the court), for a total of \$750.00, is appropriate. The PDJ disagrees. Respondent's pattern of misrepresentations to her client, the court, and the public is egregious—far more flagrant and willful than typical unauthorized of practice law matters—and should be met with more severe sanctions as a deterrent to future such conduct. The PDJ thus recommends that a fine of \$500.00 per incident, or \$1,500.00 total, be imposed.

The People filed a statement of costs on February 20, 2020, reflecting costs in the amount of \$279.00. These costs appear reasonable.²⁴ Relying on C.R.C.P. 237(a), the PDJ recommends an award of the full amount of costs requested.

The People request restitution for the \$505.00 J.G. paid Respondent, to include interest at the statutory rate of 8 percent per annum. The People represent that the current calculated interest is \$30.88, for a total restitution amount of \$535.88. The PDJ concludes that this is an appropriate award of restitution and recommends imposing \$535.88 in restitution, adjusting for additional statutory interest that may yet accrue.

IV. RECOMMENDATION

The PDJ **RECOMMENDS** that the Colorado Supreme Court **FIND** that Respondent engaged in the unauthorized practice of law and **ENJOIN** her from the unauthorized practice of law. The PDJ further **RECOMMENDS** that the Colorado Supreme Court enter an order requiring Respondent to pay **RESTITUTION** of \$535.88 to J.G., to accrue at the statutory rate of 8 percent per annum ; a **FINE** of \$1,500.00; and **COSTS** in the amount of \$279.00.

DATED THIS 31ST DAY OF MARCH, 2020.


WILLIAM R. LUCERO
PRESIDING DISCIPLINARY JUDGE



²³ See *People v. Adams*, 243 P.3d 256, 267 & n.7 (Colo. 2010) (holding that a respondent who provided legal services to five separate individuals engaged in five instances of the unauthorized practice of law for purposes of C.R.C.P. 236).

²⁴ See C.R.S. § 13-16-122 (setting forth an illustrative list of categories of “includable” costs in civil cases, including “[a]ny fees for service of process”).

Copies to:

Jane Bonham Cox
Office of Attorney Regulation Counsel

Via Email
j.cox@csc.state.co.us

Christa Turnell
Respondent
1494 Florida Road
Durango, CO 81301

Via First-Class Mail and Email
christaturnell1@gmail.com

Cheryl Stevens
Colorado Supreme Court

Via Hand Delivery and Email
cheryl.stevens@judicial.state.co.us