

RECEIVED

ORDER OF COURT

JUL 11 2000

ATTORNEY  
REGULATION

IN THE MATTER OF: SHARON WITMER

Upon consideration of the Order to Show Cause to which no response was filed, and now being sufficiently advised in the premises,

IT IS THIS DAY ORDERED that Sharon Witmer is enjoined from engaging in the unauthorized practice of law and assessed the costs and expenses of \$127.28 Said costs to be Remitted to the Office of Attorney Regulation Counsel within thirty Days of the date of this order.

BY THE COURT, JULY 11, 2000.

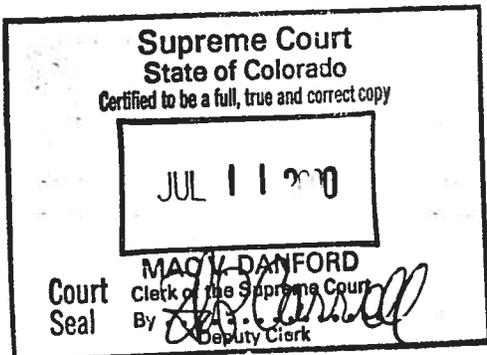


cc:

Sharon Witmer  
233 Boyle Park Way  
Mancos, Co 81328

Sharon Witmer  
P.O. Box 359  
Mancos, CO 81328-0359

James Coyle  
Assistant Regulation Counsel



SUPREME COURT, STATE OF COLORADO  
Case No.  
ORIGINAL PROCEEDING IN UNAUTHORIZED PRACTICE OF LAW

---

PETITION FOR INJUNCTION

---

THE PEOPLE OF THE STATE OF COLORADO,

Petitioner,

vs.

SHARON WITMER,

Respondent.

---

Petitioner, by and through James C. Coyle, Assistant Regulation Counsel, respectfully requests that the Colorado Supreme Court issue an order pursuant to C.R.C.P. 234 directing the respondent to show cause why she should not be enjoined from the unauthorized practice of law. As grounds therefore, counsel states as follows:

1. The respondent, Sharon Witmer, is not licensed to practice law in the State of Colorado. Her last known residential address is 233 Boyle Park Way, Mancos, Colorado 81328 and her last known mailing address is P.O. Box 359, Mancos, Colorado 81328-0359.

2. In a January 29, 1999 letter that reflected that the respondent was an attorney, the respondent notified the Equal Opportunity Program Manager for the U. S. Department of the Interior that she represented an employee in a discrimination claim against Mesa Verde National Park.

3. The respondent signed her name "Sharon Witmer, Attorney" in the above-referenced letter. The respondent attached a complaint alleging retaliation for filing a claim of discrimination to the letter.

4. In the attached complaint, the respondent sought legal relief including specific performance of the employee's employment contract, an equal opportunity to work with other "subject to furlough" employees, backpay, damages, attorney's fees, and other remedies. The signature line for the complaint stated "by her attorney, Sharon Witmer."

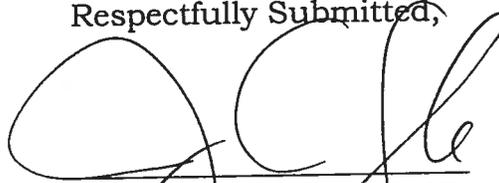
5. While the administrative rules regarding EEO investigations do not require that a designated representative be an attorney, the respondent did not hold herself out as a designated representative.

6. Pursuant to *Denver Bar Association v. Public Utilities Commission*, 391 P.2d 467 (Colo. 1964), "generally 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 him in connection with these rights and duties engaged in the unauthorized practice of law."

7. By holding herself out as an attorney and by seeking state claims of relief and attorney's fees, the respondent has engaged in the unauthorized practice of law.

WHEREFORE, the petitioner prays that the court to issue an order directing the respondent to show cause why she should not be enjoined from engaging in the unauthorized practice of law and assess the costs and expenses of these proceedings, including reasonable attorneys' fees, against the respondent.

Respectfully Submitted,



JAMES C. COYLE #14970  
Assistant Regulation Counsel  
Unauthorized Practice of Law  
Committee  
600 17th St., Suite 200-S  
Denver, CO 80202  
Telephone: (303) 893-8121 ext. 328

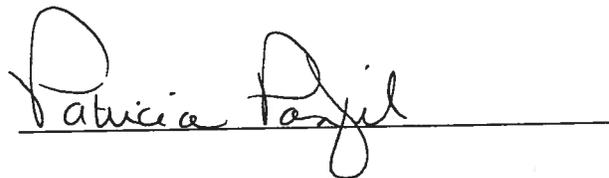
CERTIFICATE OF MAILING

I hereby certify that copies of the PETITION FOR INJUNCTION were mailed on the 3<sup>rd</sup> day of ~~February~~, 2000, by United States mail, first-class postage prepaid, to the respondent at the following address:

*March*

Sharon Witmer  
233 Boyle Park Way  
Mancos, Colorado 81328

Sharon Witmer  
P.O. Box 359  
Mancos, Colorado 81328-0359



SUPREME COURT, STATE OF COLORADO  
Case No.  
ORIGINAL PROCEEDING IN UNAUTHORIZED PRACTICE OF LAW

---

ORDER TO SHOW CAUSE

---

THE PEOPLE OF THE STATE OF COLORADO,

Petitioner,

vs.

SHARON WITMER,

Respondent.

---

TO: SHARON WITMER, Respondent, GREETINGS:

You are hereby ordered and directed to appear before the Colorado Supreme Court, 2 East 14<sup>th</sup> Ave., 4<sup>th</sup> Floor, Denver, Colorado 80203, within twenty (20) days from service hereof and show cause, if any you may or can have, why you should not be enjoined from the unauthorized practice of law pursuant to C.R.C.P. 234; and also submit a written answer admitting or denying the allegations stated in the attached Petition.

IT IS FURTHER ORDERED that the Petitioner may have ten (10) days from receipt of the answer within which to file a reply. A true copy of the Petition for Injunction pursuant to C.R.C.P. 234 is attached hereto and served herewith.

WITNESS, the Honorable Mary J. Mullarkey, Chief Justice of the Colorado Supreme Court, in the City and County of Denver, this \_\_\_\_ day of \_\_\_\_\_, 2000.

BY THE COURT

\_\_\_\_\_  
Mac V. Danford, Clerk