

People v. Jeremy Ray Shufflebarger. 22PDJ003. January 12, 2022.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended Jeremy Ray Shufflebarger (attorney registration number 44268) for ninety days, all to be stayed upon the successful completion of a two-year period of probation, with conditions. The probation took effect January 12, 2022.

In August 2019, Shufflebarger accepted a \$1,000.00 retainer to represent a client in her parental rights matter. In October 2019, Shufflebarger moved to modify his client's parenting time and decision-making responsibilities. After he filed the motion, Shufflebarger and his client discussed requesting the appointment of a child and family investigator in the matter. He did not move for the appointment, however, and he failed to set the modification proceeding for mediation or a hearing as required by the court's case management order. Shufflebarger's final communication with his client was around mid-December 2019. During the next two months, his client requested updates about her case, but he did not respond. In late February 2020, the court dismissed the motion to modify without prejudice for failure to prosecute. Shufflebarger did not read the order dismissing the motion and did not send a copy to his client. In August 2020, the client fired him and requested an accounting of her retainer funds. He provided the accounting and a refund of the unearned retainer as part of the disciplinary investigation.

Shufflebarger was experiencing professional and personal issues during the representation of his former client. As conditions of his probation, he must attend an ethics class and seek counseling. As restitution, he must refund the full amount of his former client's retainer.

Through this conduct, Shufflebarger violated Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the client's matter); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); and Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including by giving reasonable notice to the client and returning unearned fees).

The case file is public per C.R.C.P. 242.41(a)(2).