

People v. Shoemaker. 13PDJ042. June 24, 2013. Attorney Regulation. The Presiding Disciplinary Judge approved a conditional admission of misconduct submitted by the parties and suspended Joseph Jay Shoemaker (Attorney Registration Number 15426) from the practice of law for one year and one day, effective July 29, 2013. Shoemaker was hired to draft a will for a client. The will appointed Shoemaker the personal representative and trustee of a trust benefitting the client's two daughters, and it provided for reasonable compensation for Shoemaker's services. The client passed away in 2010, leaving a life insurance policy naming the client's two daughters as joint beneficiaries. Shoemaker assisted the daughters in setting up separate bank accounts for the life insurance benefits and made himself the joint account holder on both accounts. Shoemaker later removed his name from one account but continued as a joint account holder on the other. In 2011, Shoemaker made two transfers to his personal retirement account from the joint bank account for \$16,500.00 and \$10,500.00, respectively. He did not notify the account holder of the transfers nor did he provide an accounting of his fees. Shoemaker returned all the funds two months later when requested. He was eventually removed as personal representative and trustee. Shoemaker's misconduct constitutes grounds for the imposition of discipline pursuant to C.R.C.P. 251.5 and violated Colo. RPC 1.5(a), 1.15(a), 1.15(b), 3.4(c), and 8.4(c).