

Suzanne Shell
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April 15, 2004

TO: Judicial Performance Commission

RE: Colorado Supreme Court abuses

References:

Colorado Statutory Form Power of Attorney Act - C.R.S. 15-1-1300 et. seq.

Colorado Rules of Civil Procedure - rule 107

Original Proceeding in Contempt, People v. Shell, 03UPL35[sic] (04SA93)

Stipulation, Agreement and Affidavit Consenting to an Order of Injunction/Recommendation to Accept Stipulation/Order, People v. Shell, 01SA136

Background

Suzanne Shell is a family rights activists who has published 3 books and a website advocating on behalf of the fundamental human right of family association. This activism largely applies to government intrusions into the family under child abuse/neglect investigations and court actions. She has been active in this arena since 1991 and is nationally recognized as an expert in this arena.

The grassroots movement supporting this issue has been growing tremendously. As a direct result of Ms. Shell's leadership, activism and advocacy on this issue, increasing public scrutiny and resistance to unwarranted intrusions into families has been enacted nationwide and locally. Consequently, Ms. Shell has been subjected to government harassment and abuse in numerous forms including false arrest, physical violence, malicious prosecutions/frivolous and vexatious litigation, 'noisy' surveillance, wiretapping, entrapment, defamation, unjustified exclusion or expulsion from public hearings and meetings, theft of her intellectual property/copyright infringement, obstructionism and denied access to public records, her own personal records and records of others which she is authorized to access under statute, violations of her civil and constitutionally protected rights, been subjected to abusive sham court proceedings and illegal court orders, and has been denied meaningful access to the courts to seek remedies for these injuries.

The Colorado Supreme Court Unauthorized Practice of Law Committee had previously vigorously and maliciously prosecuted Ms. Shell for UPL.. The court ignored all established law regarding her constitutionally protected rights and her reliance on statutory provisions which governed her conduct. She agreed to a stipulation under threat prohibiting UPL and an injunction issued.

Since that injunction, the Colorado Supreme Court, in concert with other state and local agencies, have acted and conspired to prevent her from engaging in her lawful and constitutionally protected business and political activities. Informal policies and practices have

been instituted which are designed to defame her and retaliate against her and anyone who associates with her. This retaliation is directed at attorneys, professionals and parents who seek or desire her expert services. It is also directed at anyone who chooses to associate with her.

Ms. Shell redirected her efforts from individual advocacy toward general training and education, writing and publishing, and creating a documentary video series about this issue. She will not assist any parent with their case unless she has been hired by their attorney as an expert consultant. She will, however, include their case story in her documentary video project.

Current Complaint

Ms. Shell has been focusing some of her scrutiny on Fremont County, Colorado. She was engaged in news gathering on two stories involving Fremont County Department of Human Services (DHS). Fremont County attorney Rocco Meconi initiated UPL complaints against her because 'she was present and sat in the back of the courtroom' during court hearings and associated with the respondent parents. Unknown to Ms. Shell, the parents had filed documents posted on her web site as well as other web sites and Meconi falsely and maliciously attributed authorship of those documents to Ms. Shell. In spite of denials and without any evidence, he also accused her of giving legal advice to the respondent parents.

Meconi also instituted a sham legal action which violated her rights of association, free press, right to contract, due process and viewpoint discrimination. When Ms. Shell was compelled to seek vindication of her rights through a civil rights lawsuit in U.S. District Court, the retaliation escalated.

Ms. Shell has just been served with a contempt citation by the Colorado Supreme Court. This citation is unsigned. Ms. Shell was in compliance with the previous court order and:

1. Did not give legal advice to another individual
2. Did not choose legal documents on behalf of another individual
3. Did not draft legal documents on behalf of other individual for his or her case
4. Did not apply or interpret law for another individual without the supervision of an attorney
5. Did not prepare cases for trial for another individual without supervision of an attorney
6. Did not operate an interactive website for legal documents
7. Did not represent another individual in any legal transaction or matter unless specifically allowed by Supreme Court rule or statute.

The Colorado Supreme Court is actively harassing and maliciously prosecuting Ms. Shell for her reliance on this stipulation under threat and order, and on established law and statute. She is going to be dragged before a tribunal wherein the prosecutor and the judge are the same entity. This tribunal will be judging whether or not the UPL rules it made and imposes upon her are valid in the face of current statutes and established case law.

All because she did not tuck her tail and go home when she was spanked last time. All because she dared show her face in Fremont County again. All because she was engaged in news gathering - filming - for her documentary video project.

Remedy

Ms. Shell demands the concerted and coordinated retaliation and harassment against her

by the Supreme Court cease. She has been singled out for this abusive and injurious treatment over and above any other activist in Colorado. It is based on lies and malice, forwarded by government agencies who object to the scrutiny Ms. Shell injects into their activities.

Ms. Shell is entitled to the same protection from the Colorado Supreme Court as any other citizen enjoys, and demands that protection. That incompetent and malicious attorneys and judges who retaliate against her and those who associate with her by filing false UPL reports, injuring them in court proceedings, violating their rights and public defamation will be subject to the same scrutiny and sanctions that she has had to endure. Her complaints against attorneys have been rejected. There is an obvious double standard which involves patronage for the brotherhood of the bar and persecution for anyone who dares question or expose what is really going on in Colorado courts.

Ms. Shell is entitled to the same protection of the laws, and the right to rely on statute, established law and the constitution to guide her conduct, the same as any other person, without fear of predetermined outcomes and persecution. She has the right to engage in political activism on controversial issues free from fear of retaliation and injury. She has the right to engage in the occupation of her choice. She has the right to exercise her rights without retaliation.