

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary
Action against SHANNON M. FITZPATRICK,
a Minnesota Attorney,
Registration No. 345349.

**PETITION FOR
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition upon the parties' agreement pursuant to Rules 10(a) and 12(a), Rules on Lawyers Professional Responsibility. The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on October 18, 2005. Respondent currently practices law in Minneapolis, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

DISCIPLINARY HISTORY

Respondent's history of prior discipline is as follows:

On December 20, 2011, respondent was publicly reprimanded and placed on two years' probation for failing to maintain the required trust account books (resulting in shortages in her trust account and in the unintentional misappropriation of client funds), depositing client funds into her business account and, on occasion, failing to promptly transfer those funds into her trust account. Respondent's conduct was in violation of Rules 1.15(a), (c)(3), (c)(5), and (h), Minnesota Rules of Professional Conduct (MRPC), and Appendix 1 thereto.

FIRST COUNT

1. In or around May 2013, respondent was retained to represent J.J. relative to a child custody dispute.

2. On September 9, 2013, J.J. sent to respondent the signature page to a document indicating her stipulation to an order regarding the appointment of a parenting time consultant ("the stipulation"). The following day, respondent and complainant engaged in the following text message exchange:

Respondent: [J.J.], I just looked at your signature that you sent me yesterday. It is very, very shaky.

Respondent: I'm going to cut and paste signature from another document. That okay?

J.J.: Sure. Run over with pen

J.J.: I I [sic] can easily make a better signature of better quality and email it to you

Respondent: Already done

J.J.: :-)

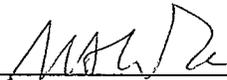
3. After cutting and pasting J.J.'s signature from another document onto the stipulation with J.J.'s permission, respondent notarized the cut-and-pasted signature. Respondent attached the stipulation to an affidavit which she then filed with the presiding district court as an exhibit to a motion. The following day, J.J. re-signed the stipulation before opposing counsel, who notarized J.J.'s actual signature on the stipulation. This second, properly notarized stipulation was submitted to the presiding district court for approval.

4. Respondent's conduct as set forth above occurred while respondent was on probation pursuant to the Court's December 20, 2011, order by which she was publicly reprimanded.

5. Respondent's conduct in cutting and pasting J.J.'s signature to the stipulation, notarizing the cut-and-pasted signature, and submitting the stipulation to the district court violated Rules 8.4(c) and (d), MRPC.

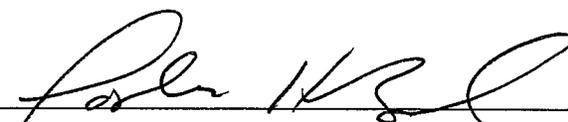
WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: December 19, 2014.



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and



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