



FILED

APR 21 2021

STATE BAR OF NEVADA  
BY: *B. Felice*  
OFFICE OF BAR COUNSEL

1 Case No: OBC19-1173

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6 **STATE BAR OF NEVADA**  
**SOUTHERN NEVADA DISCIPLINARY BOARD**

7 STATE BAR OF NEVADA, )  
8 )  
9 Complainant, )  
10 vs. )  
11 J. MARK SHOCKLEY, ESQ., )  
Nevada Bar No. 7514, )  
12 Respondent. )

**PUBLIC REPRIMAND**

13 A Disciplinary Panel of the Southern Nevada Disciplinary Board unanimously  
14 approved a conditional guilty plea agreement wherein you agreed to accept a Public  
15 Reprimand for violations of Rules of Professional Conduct (RPC) set forth below  
16 regarding your handling of a traffic case.

17 **GRIEVANCE**

18 During the time of your conduct set forth below, 702-Traffic was owned by non-  
19 lawyer Kirk Helmick. You are the lawyer who shares office space with and handles the  
20 traffic tickets for 702-Traffic.

21 On July 3, 2019, Mario Verdejo-Torrecilla received a ticket for failing to yield from  
22 a stop sign. Verdejo-Torrecilla was required to appear in court on August 21, 2019.

23 On or about July 16, 2019, Verdejo-Torrecilla, went to 702-Traffic to inquire about  
24 traffic ticket services. Kirk Helmick quoted \$199 to handle the ticket for him. Verdejo-  
25 Torrecilla informed 702-Traffic that he wanted to shop around. Subsequently, Kirk

1 Helmick, spoke to Verdejo-Torrecilla and said that he would reduce their fee to \$100 to  
2 handle the traffic ticket. You never spoke to Verdejo-Torrecilla.

3 On July 17, 2019, Verdejo-Torrecilla paid the \$100 retainer to 702-Traffic. 702-  
4 Traffic staff informed him they would go to court for him, and he should receive  
5 something in the mail by December 15, 2019.

6 On September 10, 2019, Las Vegas Justice Court sent Verdejo-Torrecilla a notice  
7 advising him that he had failed to pay his balance or failed to appear on his scheduled  
8 court date.

9 On September 11, 2019, Verdejo-Torrecilla called your office, 702-Traffic, for a case  
10 status update. Verdejo-Torrecilla stated that the receptionist could not find his file or his  
11 proof of payment of the \$100 retainer. He further stated that the receptionist told him  
12 they would contact the court and call him back. Verdejo-Torrecilla did not receive a call  
13 back from your office. Verdejo-Torrecilla paid the Justice Court fines himself later that  
14 day.

15 The next day, Verdejo-Torrecilla went to your office, 702-Traffic, and demanded a  
16 refund. Verdejo-Torrecilla spoke telephonically with Helmick who refused to issue a  
17 refund. Verdejo-Torrecilla stated that he was subsequently contacted by you. He stated  
18 that you explained to him that you were on vacation and you tried to explain why you had  
19 missed his court appearance date.

20 In this case, you did not do the client intake at 702-Traffic for the Verdejo-  
21 Torrecilla matter. Instead, you allowed non-lawyer assistants at 702-Traffic complete the  
22 intake for Verdejo-Torrecilla. You allowed non-lawyer assistants to complete the retainer  
23 agreement, which is stamped with your signature. You also allowed non-lawyer assistants  
24 at 702-Traffic to complete all communication with the client. You failed conduct an  
25 attorney consultation and maintain a personal relationship with your client. Lastly, you

1 shared your legal fee on the traffic matter with non-lawyer owner of 702-Traffic, Kirk  
2 Helmick.

### 3 **REPRIMAND**

4 Based upon the foregoing, you are hereby REPRIMANDED for your conduct  
5 related to representation of the foregoing client(s), which conduct violated the Nevada  
6 Rules of Professional Conduct (“RPC”) as follows:

7 RPC 1.1 (Competence) – for failing to calendar and attend the court hearing for  
8 your client.

9 RPC 1.3 (Diligence) – for failing to resolve your clients matter before or on the  
10 required court date.

11 RPC 1.4 (Communication) – for failing to comply with Verdejo-Torrecilla’s request  
12 for information about the status of his case.

13 RPC 1.5 (Fees) – for collecting a fee for services that you failed to complete.

14 RPC 5.4 (Professional Independence of a Lawyer) – for sharing legal fees with a  
15 non-lawyer.

16 RPC 5.5 (Unauthorized Practice of Law) – for allowing non-lawyer owner and staff  
17 to meet the clients during the initial intake/consultation and stamp your name to the  
18 intake form/retainer agreement, as well as, allowing a non-lawyer to negotiate your  
19 retainer fee. You improperly permitted 702-Traffic to decide if the representation should  
20 be accepted. You had no direct relationship with Verdejo-Torrecilla. You knew 702-  
21 Traffic’s office policies and procedures were improper, therefore, you ratified said  
22 conduct.

23 The Nevada Supreme Court and the American Bar Association Standards for  
24 Imposing Lawyer Sanctions adopted an analysis of four factors to consider for disciplinary  
25 sanctions: the duty violated, the lawyer’s mental state, the potential or actual injury

1 caused by the lawyer's misconduct, and the existence of aggravating or mitigating  
2 factors..." In re Lerner, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (Nev. 2008).

3 You have a duty to understand the legal concepts and demonstrate skill,  
4 thoroughness, and preparation in any area of law in which you agree to represent a client.  
5 You also have a duty to act with reasonable diligence and promptness when representing  
6 a client and to keep your client informed about his case. The evidence shows that you  
7 failed to attend the court date on behalf of your client which resulted in your client paying  
8 his own court fine so that his case would not go to warrant. You also failed to provide your  
9 client with a cases status report after he tried to contact you to find out what was going on  
10 with his case.

11 You also have a duty to collect a reasonable fee, to not share legal fees with non-  
12 lawyers, and to not assist in the unauthorized practice of law. The evidence shows that  
13 you shared your retainer in this case with a non-lawyer and then failed to complete the  
14 work that was agreed upon. Your failure to perform the work made the fee unreasonable.  
15 Finally, you allowed the non-lawyers at 702-Traffic to engage in the unauthorized practice  
16 of law by negotiating your retainer fee and deciding if the representation should be  
17 accepted. Your conduct has injured your client and the legal profession.

18 Thus, weighing the rules violated, your mental state, the potential or actual injury  
19 caused, two ABA Standards are applicable. They are: (1) ABA Standard 4.43, which states  
20 that "Reprimand is the appropriate baseline sanction when Respondent is negligent and  
21 fails to act with reasonable diligence on representing or communicating with his client,"  
22 and (2) ABA Standard 7.3, which states that "Reprimand is generally appropriate when a  
23 lawyer negligently engages in conduct that is a violation of a duty owed as a professional,  
24 and causes injury or potential injury to a client, the public, or the legal profession."

1 Based upon the above factors, the Panel finds that a Public Reprimand is  
2 appropriate.

3 In accordance with Nevada Supreme Court Rule 120 you are assessed costs in the  
4 amount of \$1,500, plus actual costs.

5 **DATED** this 21 day of April, 2021.

6  
7 *Christopher Lalli*

8 Christopher Lalli (Apr 21, 2021 12:33 PDT)

9 **CHRISTOPHER LALLI, ESQ., Chair**  
10 **Southern Nevada Disciplinary Panel**