



~~CONFIDENTIAL~~ ORIGINAL

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**State Bar Court of California
Hearing Department
Los Angeles**

PROGRAM FOR RESPONDENTS WITH SUBSTANCE ABUSE OR MENTAL HEALTH ISSUES

<p>Counsel For The State Bar Eric H. Hsu Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015-2299 Tel: (213)765-1247</p>	<p>Case Number (s) 04-O-15533, 05-O-03682, and 05-O-04182</p> <p align="center">FILED</p> <p align="center">JAN 21 2010 <i>YJC</i></p> <p align="center">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>	<p>(for Court's use)</p> <p align="center">LODGED</p> <p align="center">FEB 28 2008 <i>YJC</i></p> <p align="center">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Bar # 213039 Counsel For Respondent</p> <p>Robert D. Bills, Jr., Esq. 321 3rd Street Laguna Beach, CA 92651-2306 Tel: (949)497-2603</p>	<p align="center">PUBLIC MATTER</p> <p>Submitted to: Program Judge</p> <p>STIPULATION RE FACTS AND CONCLUSIONS OF LAW</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>Bar # 147012 In the Matter Of: ROBERT DAVIS BILLS, JR.</p> <p>Bar # 147012</p> <p>A Member of the State Bar of California (Respondent)</p>		

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted June 11, 1990.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition (to be attached separately) are rejected or changed by the Supreme Court. However, if Respondent is not accepted into the Lawyer Assistance Program, this stipulation will be rejected and will not be binding on the Respondent or the State Bar.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated, except for Probation Revocation proceedings. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 14 pages, excluding the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".

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- (6) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (7) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7 and will pay timely any disciplinary costs imposed in this proceeding.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline** [see standard 1.2(f)]
 - (a) State Bar Court case # of prior case **03-O-04916**
 - (b) Date prior discipline effective **June 2, 2004**
 - (c) Rules of Professional Conduct/ State Bar Act violations: **Rule 3-110(A) of the California Rules of Professional Conduct**
 - (d) Degree of prior discipline **Private reproof with duties**
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below:
- (2) **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice. **Respondent's misconduct harmed his client Apman, in that Apman's appeal was dismissed as a result of Respondent's failure to file an opening brief on behalf of Apman.**
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. **Respondent is culpable of 17 counts of misconduct involving three clients.**
- (8) **No aggravating circumstances are involved.**

Additional aggravating circumstances:

None.

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted in good faith.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances are involved.**

Additional mitigating circumstances:

ATTACHMENT TO
STIPULATION RE FACTS AND CONCLUSIONS OF LAW

IN THE MATTER OF: ROBERT DAVIS BILLS, JR.

CASE NUMBERS: 04-O-15533; 05-O-03682; 05-O-04182

FACTS AND CONCLUSIONS OF LAW:

Respondent admits that the following facts are true and that he is culpable of violating the specified statutes and the California Rules of Professional Conduct, which constitute cause for discipline in these matters.

I. Facts.

State Bar Court Case No. 04-O-15533

1. On November 14, 2001, Rosa Garcia Medina (Medina) gave birth to a daughter named Irene Jasmine Nogueta (Irene). Jose Antonio Nogueta, Jr. (Nogueta) admitted that he was Irene's father, but was unwilling to provide child support.
2. In June 2004, Medina was on active duty with the United States Navy and was stationed in Guam at that time.
3. In June or July 2004, Nogueta threatened to take Irene from Medina's sister, Araceli Garcia (Garcia), and Medina's mother, who were caring for Irene while Medina was stationed overseas.
4. On June 23, 2004, Garcia exercised her power of attorney for Medina and hired Respondent to represent Medina in a "Petition to Establish Parental Relationship, Child Support, Child Custody, and Visitation" over Irene (Petition for Custody and Support) in the Superior Court of California, County of Orange (Superior Court or OCSC).
5. On June 23, 2004, Respondent signed an "Attorney-client Retainer Agreement" relating to the Petition for Custody and Support, and he agreed to prepare and fax to Medina in Guam the preprinted Judicial Council of California forms (forms) necessary to file the Petition for Custody and Support, for Medina to review.
6. On June 23, 2004, Garcia paid Respondent \$1,610 in cash on behalf of Medina.
7. On July 14, 2004, Respondent sent a letter to Medina by facsimile and to Garcia by United States First Class Mail, attaching the forms he had prepared to file the Petition for Custody and Support that contained basic information about the proceeding, i.e., names, addresses, and dates. In his letter, Respondent requested that Medina complete the forms and return them to him.
8. On July 14, 2004, Medina and Garcia received Respondent's letter dated July 14, 2004, and its attached forms.

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9. On July 21, 2004, Medina faxed to Respondent the completed forms that he had sent to her by letter dated July 14, 2004. Respondent received that facsimile from Medina.
10. On August 9, 2004, Garcia sent a letter to Respondent informing him that Medina had not received the finalized forms for her signature or any other information from him regarding the Petition for Custody and Support. In her letter, Garcia requested a status report, and she provided her telephone number to Respondent. Respondent received that August 9, 2004 letter from Garcia.
11. Respondent did not respond to Garcia's August 9, 2004 letter or otherwise communicate with Garcia or Medina.
12. On August 23, 2004, Garcia called Respondent at his office and left a message for him on his telephone voice message system requesting a return telephone call and status report. Respondent received that message from Garcia.
13. Respondent did not respond to Garcia's August 23, 2004 message or otherwise communicate with Garcia or Medina.
14. On August 26, 2004, Garcia sent a letter to Respondent informing him that it had been two months since their meeting and that they had not heard from Respondent regarding the status of the Petition for Custody and Support. In her August 26, 2004 letter, Garcia requested a status report be sent to her by facsimile by August 30, 2004, and she provided her facsimile number to Respondent. Respondent received that August 26, 2004 letter from Garcia.
15. Respondent did not respond to Garcia's August 26, 2004 letter or otherwise communicate with Garcia or Medina.
16. On September 13, 2004, Medina sent a letter to Respondent by facsimile terminating his services for failure to communicate. In her letter, Medina requested each of the following from Respondent: a status report; an accounting; and the return of her original documents. Medina also requested that Respondent have her file delivered to Kimberly A. Clemons (Clemons), an attorney with offices near Respondent's office in Laguna Beach. Respondent received that September 13, 2004 facsimile from Medina.
17. Respondent did not respond to Medina's September 13, 2004 letter or otherwise communicate with Medina or Garcia, or deliver Medina's file to Clemons.
18. Respondent provided no legal service of value to Medina as his assembling of information and typing of preprinted Judicial Council of California forms were preparatory in nature and could have been performed by a non-attorney. Respondent did not earn any of the advanced fees paid by Garcia on behalf of Medina.
19. At no time did Respondent refund to Garcia or Medina any portion of the \$1,610 paid by Garcia on behalf of Medina.
20. Between June 23, 2004, and September 13, 2004, Respondent did not finalize or file with the Superior Court all forms concerning the Petition for Custody and Support.
21. On November 30, 2004, the State Bar opened an investigation, case number 04-O-15533, based on a complaint filed by Medina (the Medina matter).

22. On December 17, 2004, an investigator for the State Bar (investigator) wrote a letter to Respondent regarding the Medina matter. The investigator's letter requested that Respondent respond in writing to specified allegations of misconduct being investigated by the State Bar in the Medina matter. Respondent received that December 17, 2004 letter from the investigator.
23. Respondent did not respond to the investigator's December 17, 2004 letter or otherwise communicate with the investigator regarding the Medina matter.
24. On January 7, 2005, the investigator wrote another letter to Respondent regarding the Medina matter. The investigator's letter again requested that Respondent respond in writing to specified allegations of misconduct being investigated by the State Bar in the Medina matter. Respondent received that January 7, 2005 letter from the investigator.
25. Respondent did not respond to the investigator's January 7, 2005 letter or otherwise communicate with the investigator regarding the Medina matter.

State Bar Court Case No. 05-O-03682

26. In late November or early December 2003, Kevin J. Apman (Apman) hired Respondent to appeal the order of the Superior Court granting the defendants' "Motion to Dismiss Pursuant to Code of Civil Procedure section 425.16" in the matter titled *Kevin J. Apman v. Steven R. Kaller, Paula J. Kaller, White and Bright, David S. White, Randolph W. Ortlieb*, Orange County Superior Court Case Number 00CC04861 (*Apman v. Kaller*). Apman paid Respondent \$4,000 to represent him in the appeal.
27. On January 13, 2004, Respondent filed a "Notice of Appeal" and "Designation of Reporter's Transcript on Appeal and Election to Proceed Under California Rules of Court, Rule 5.1, in Lieu of Clerk's Transcript" in *Apman v. Kaller*.
28. On February 4, 2004, Respondent filed a "Civil Case Information Statement" with the Court of Appeal of the State of California (Court of Appeal) in the matter titled *Kevin J. Apman v. Steven R. Kaller, Paula J. Kaller, White & Bright, David S. White, Randolph W. Ortlieb*, Court of Appeal Case Number G034406 (*Apman Appeal*).
29. From approximately March 2004 to July 2005, Apman called Respondent at Respondent's office approximately once a month to obtain a status report on the *Apman Appeal*. Apman left messages on Respondent's telephone voice message system for Respondent to call him. Respondent did not respond to Apman's messages or otherwise communicate with Apman.
30. From approximately March 2004 to July 2005, Apman's attorney in *Apman v. Kaller*, Sheila A. Williams (Williams), called Respondent at his office approximately once a month to obtain a status report on the *Apman Appeal* on behalf of Apman. Respondent was aware that Williams had represented Apman in *Apman v. Kaller* and had referred Apman to him. Williams left messages on Respondent's telephone voice message system for Respondent to call her. Respondent did not respond to Williams' messages or otherwise communicate with Williams or Apman.
31. On June 28, 2004, Respondent filed a "Request for 45 day Extension of Time [to August 9, 2004] to File Appellant's Opening Brief" in the *Apman Appeal*.

32. On June 28, 2004, the Court of Appeal granted Respondents' Request and extended the date to file Apman's opening brief to on or before August 9, 2004. Respondent received the order of the Court of Appeal.
33. Respondent failed to file Apman's opening brief in the *Apman Appeal* on or before August 9, 2004.
34. On August 10, 2004, the Court of Appeal notified Respondents that the *Apman Appeal* would be dismissed if Apman's opening brief and appendix were not filed within 15 days or August 25, 2004, pursuant to rule 17(a)(1) of the California Rules of Court (rule(s)), for failure to file appellant's opening brief. The Court of Appeal also notified Respondent that no additional rule 17 notices would be issued, i.e., the appeal could be dismissed without further notice. Respondent received the notice from the Court of Appeal.
35. On August 24, 2004, Respondent filed a "Request for Further Extension of Time [to September 3, 2004] to File Appellant's Opening Brief" in the *Apman Appeal*.
36. On August 25, 2004, the Court of Appeal granted Respondents' Request and extended the date to file Apman's opening brief to on or before September 3, 2004. The Court of Appeal warned Respondent that no additional notices pursuant to rule 17 would be given and that no further extensions would be granted. Respondent received the order of the Court of Appeal.
37. Respondent did not file any opening brief on behalf of Apman in the *Apman Appeal* on or before September 3, 2004.
38. On September 8, 2004, the Court of Appeal dismissed Apman's appeal in the *Apman Appeal* for failure to file the opening brief pursuant to rule 17(a)(1).
39. On November 12, 2004, the Court of Appeal filed the "Remittitur" finalizing the dismissal of Apman's appeal pursuant to rule 17(a)(1) and awarding costs against Apman in the *Apman Appeal*.
40. On January 12, 2005, Apman sent a letter to Respondent at his office requesting a status report. Respondent received that January 12, 2005 letter from Apman.
41. Respondent did not respond to Apman's January 12, 2005 letter or otherwise communicate with Apman.
42. Respondent did not inform Apman that Respondent had not filed the opening brief, that the *Apman Appeal* had been dismissed by the Court of Appeal, and that Apman had been ordered to pay the defense costs for the *Apman Appeal* to the defendants.
43. Respondent provided no legal service of value to Apman as all he filed with the Superior Court and Court of Appeal were preparatory pleadings or pleadings for Respondent's benefit in obtaining extensions of time for him to file an opening brief. Respondent did not earn any of the advanced fees paid by Apman.
44. At no time did Respondent refund to Apman any portion of the \$4,000 paid by Apman.

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45. On August 4, 2005, the State Bar opened an investigation, case number 05-O-03682, based on a complaint filed by Apman (the Apman matter.)
46. On October 4, 2004, an investigator for the State Bar (investigator) wrote a letter to Respondent regarding the Apman matter. The investigator's letter requested that Respondent respond in writing to specified allegations of misconduct being investigated by the State Bar in the Apman matter. Respondent received that October 4, 2004 letter from the investigator.
47. Respondent did not respond to the investigator's October 4, 2004 letter or otherwise communicate with the investigator regarding the Apman matter.
48. On November 1, 2005, the investigator wrote another letter to Respondent regarding the Apman matter. The investigator's letter again requested that Respondent respond in writing to specified allegations of misconduct being investigated by the State Bar in the Apman matter. Respondent received that November 1, 2005 letter from the investigator.
49. On November 16, 2005, Respondent sent by facsimile a one-page letter to the investigator stating that his response would be provided by separate letter sent by United States First Class Mail, because it was voluminous. However, no separate letter or response was received from Respondent.

State Bar Court Case No. 05-O-04182

50. On February 28, 2005, Respondent was given notice by the State Bar Court that he would be involuntarily enrolled as an inactive member of the State Bar of California on March 3, 2005. Respondent received that February 28, 2005 notice.
51. On March 3, 2005, Respondent was involuntarily enrolled as an inactive member of the State Bar of California.
52. On April 28, 2005, Gregg M. Howe (Howe) hired Respondent to represent him with regards to an Order to Show Cause (OSC) to modify his child support payments.
53. On May 4, 2005, Respondent spent approximately 42 minutes conferring with Howe about the OSC, the scope of the representation, and the fees for the representation.
54. On May 4, 2005, Respondent entered into an agreement with Howe to charge him \$250 an hour for legal fees to represent him in the OSC.
55. On May 4, 2005, Respondent charged and collected \$175 from Howe for meeting with Howe.
56. On May 6, 2005, Howe paid \$500 by check to Respondent for attorney's fees, which Respondent accepted.
57. On May 9, 2005, Respondent charged and collected \$100 from Howe for reviewing documents and meeting with Howe.
58. Respondent could not lawfully provide legal services to Howe during the period when Respondent was enrolled as an inactive member of the State Bar of California.

59. Respondent did not earn any of the \$275 dollars he charged and collected from Howe for any work performed on May 4, 2005, and May 9, 2005.
60. On May 9, 2005, Respondent spent approximately 24 minutes meeting with Howe and reviewing documents provided by Howe from the District Attorney for the County of Kern supporting the OSC.
61. On May 26, 2005, Respondent was reinstated as an active member of the State Bar of California.
62. Between June 20, 2005, and September 12, 2005, Howe called Respondent's office on approximately 15 occasions. Howe left messages on Respondent's telephone voice message system during each call for Respondent to call him.
63. Respondent did not respond to any of Howe's messages or otherwise communicate with Howe.
64. On December 14, 2005, Respondent entered into a "Stipulation for Entry of Judgement" in the matter titled *Greg M. Howe v. Robert D. Bills, Jr.*, Orange County Superior Court Case Number 055502388. The parties stipulated, inter alia, that Respondent would pay Howe \$500 on that date and \$400 on or before March 1, 2006, to compensate Howe regarding Respondent's representation of Howe.
65. From April 28, 2005, to and including May 25, 2005, Respondent held himself out as an active member of the State Bar when he met with Howe, discussed Howe's legal problems, accepted \$500 in legal fees from Howe, and reviewed documents for Howe.

II. Conclusions of Law.

State Bar Court Case No. 04-O-15533

Count One

66. By failing to respond to the requests for status reports made by Medina or Garcia on August 9, 2004, August 23, 2004, August 26, 2004, and September 13, 2004, Respondent failed to respond promptly to reasonable status inquiries of a client, in willful violation of California Business and Professions Code section 6068, subdivision (m).

Count Two

67. By failing to provide Medina with an accounting, Respondent failed to render appropriate accounts to a client regarding all funds of the client coming into Respondent's possession, in willful violation of rule 4-100(B)(3) of the California Rules of Professional Conduct.

Count Three

68. By failing to return Medina's original documents upon request or otherwise deliver her file to Clemons upon termination of Respondent's employment, Respondent failed to return, at the request of the client or upon termination of his employment, all the client's papers and property, in willful violation of rule 3-700(D)(1) of the California Rules of Professional Conduct.

Count Four

69. By failing to refund to either Garcia or Medina any portion of the \$1,610 paid by Garcia on behalf of Medina, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of rule 3-700(D)(2) of the California Rules of Professional Conduct.

Count Five

70. By failing to finalize or file with the Superior Court all forms relating to the Petition for Custody and Support at any time between June 23, 2004, and September 13, 2004, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in willful violation of rule 3-110(A) of the California Rules of Professional Conduct.

Count Six

71. By not providing a written response to the allegations in the Medina matter or otherwise cooperating in the State Bar's investigation of the Medina matter, Respondent failed to cooperate and participate in a disciplinary investigation, in willful violation of California Business and Professions Code section 6068, subdivision (i).

State Bar Court Case No. 05-O-03682

Count Seven

72. By failing to respond to the messages left on his telephone voice message system by Apman and Williams requesting status reports, Respondent failed to respond promptly to reasonable status inquiries of a client, in willful violation of California Business and Professions Code section 6068, subdivision (m).

Count Eight

73. By failing to file Apman's opening brief with the Court of Appeal in *Apman v. Kaller* after requesting and receiving two extensions of time to file that opening brief and being warned that the appeal would be dismissed if the opening brief was not filed, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in willful violation of rule 3-110(A) of the California Rules of Professional Conduct.

Count Nine

74. By failing to take any action to mitigate the dismissal of the *Apman Appeal* after receiving notice from the Court of Appeal that the appeal had been dismissed, Respondent failed to take reasonable steps, upon termination of his employment, to avoid reasonably foreseeable prejudice to his client, in willful violation of rule 3-700(A)(2) of the California Rules of Professional Conduct.

Count Ten

75. By failing to inform Apman that Respondent had failed to file the opening brief, that the appeal had been dismissed by the Court of Appeal for failure to file the opening brief,

and that Apman had been ordered to pay costs to the defendants, Respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services, in willful violation of California Business and Professions Code section 6068, subdivision (m).

Count Eleven

76. By failing to refund to Apman any portion of the \$4,000 paid by Apman, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of rule 3-700(D)(2) of the California Rules of Professional Conduct.

Count Twelve

77. By not providing a written response to the allegations in the Apman matter or otherwise cooperating in the State Bar's investigation of the Apman matter, Respondent failed to cooperate and participate in a disciplinary investigation, in willful violation of California Business and Professions Code section 6068, subdivision (i).

State Bar Court Case No. 05-O-04182

Count Thirteen

78. By practicing law in California while enrolled as an inactive member of the State Bar, Respondent failed to support the laws of this state, in willful violation of California Business and Professions Code section 6068, subdivision (a).

Count Fourteen

79. By failing to respond to the approximately 15 messages that Howe left for him between June 20, 2005, and September 12, 2005, Respondent failed to respond promptly to reasonable status inquiries of a client, in willful violation of California Business and Professions Code section 6068, subdivision (m).

Count Fifteen

80. By entering into an agreement to charge Howe \$250 an hour for legal fees and by charging and collecting \$275 from Howe while Respondent was enrolled as an inactive member of the State Bar of California, Respondent entered into an agreement for, charged, and collected an illegal fee, in willful violation of rule 4-200(A) of the California Rules of Professional Conduct.

Count Sixteen

81. By failing to promptly refund the \$275 that Respondent charged and collected from Howe while Respondent was enrolled as an inactive member of the State Bar of California, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of rule 3-700(D)(2) of the California Rules of Professional Conduct.

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Count Seventeen

82. By holding himself out as an active member of the State Bar while Respondent was enrolled as an inactive member of the State Bar of California, Respondent committed an act involving moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

PENDING CASES:

The written advice of pending cases, referenced in paragraph A(6), was sent on May 15, 2007.

RESTITUTION/FEE ARBITRATION AND WAIVERS REGARDING CONFIDENTIALITY RELATED THERETO

Waivers re Confidentiality and Restitution Efforts

The parties agree that it is appropriate, given the intent of the Alternative Discipline Program, that restitution be paid as soon as practicable. Respondent understands and agrees that the State Bar Client Security Fund ("CSF") can, in some cases, pay restitution in these matters, with the Respondent then responsible for reimbursing CSF for any such amounts it has paid. Respondent acknowledges that to the extent CSF has paid only principal amounts he will still be liable for interest payments to the claimants where appropriate. In order that CSF can pay the claimants at an early date, however, it is necessary that Respondent partially waive confidentiality to effectuate those purposes. By entering into this stipulation Respondent makes the following express waivers, pursuant to Rule of Procedure 805.

● Respondent expressly waives any objection to immediate payment by the State Bar's Client Security Fund upon a claim(s) for the principal amounts of restitution as set forth in the Stipulation re: Facts and Conclusions of Law.

● Respondent waives any objections related to the State Bar's (including OCTC, Client Security Fund or State Bar Court) notification to former clients and/or victims of misconduct regarding the amounts due to them under the restitution schedule herein (whether principal or interest), or regarding assistance in obtaining restitution or payment from the Client Security Fund or from Respondent, at any time after Respondent's admission to the Pilot Program. Respondent expressly waives confidentiality for purposes of effectuating this section re: restitution, has reviewed Rule of Procedure, rule 805 and has had opportunity to consult with counsel prior to this waiver(s).

*RECEIVED
RAB
2/2/07*

Restitution Schedule

As a condition of his Alternative Discipline Program compliance in this matter, Respondent shall pay the following restitution to the following persons (and/or the Client Security Fund, if appropriate) in the following amounts plus 10 percent interest per annum accruing from the dates indicated. To the extent Respondent has paid any restitution prior to the effective date of the order arising from this stipulation he shall be given credit for such payments provided satisfactory proof is shown to the Probation Unit of the State Bar:

*REVISOR
2/22/08
MAP*

CASE NO.	PRINCIPAL AMOUNT	DATE INCURRED	PARTY OWED
04-O-15533	\$1,610.00	06/23/04	Araceli Garcia
05-O-03682	\$4,000.00	12/01/03	Kevin J. Apman
05-O-04182	\$500.00	05/06/05	Greg M. Howe

In addition to the principal amount(s) listed above, Respondent owes as additional restitution to the designated party, interest on that amount at the rate of ten percent (10%) per annum from the date incurred listed above.

*Restitution is due the "Party owed" or the State Bar Client Security Fund if it has paid.

RETURN OF CLIENT FILE: Within thirty (30) days from the date he signs this stipulation, Respondent shall return the entire original client file of Araceli Garcia to Ms. Garcia. Respondent shall send this file by certified mail, return receipt requested and retain a copy of this receipt for the period of his probation, making it available to the State Bar Court, State Bar Probation, or the Office of Chief Trial Counsel upon request.

WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY

The parties hereby waive any variance between the Notice of Disciplinary Charges filed on June 23, 2006, and the facts and conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges relating to cases which are the subject matters of this stipulation. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

(Do not write above this line.)

In the Matter of ROBERT DAVIS BILLS, JR.	Case number(s): 04-O-15533, 05-O-03682, and 05-O-04182
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SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts and Conclusions of Law.

Respondent enters into this stipulation as a condition of his/her participation in the Program. Respondent understands that he/she must abide by all terms and conditions of Respondent's Program Contract.

If the Respondent is not accepted into the Program or does not sign the Program contract, this Stipulation will be rejected and will not be binding on Respondent or the State Bar.

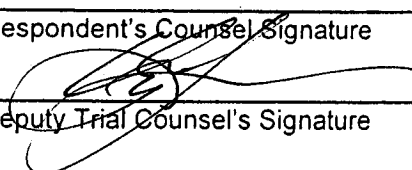
If the Respondent is accepted into the Program, upon Respondent's successful completion of or termination from the Program, this Stipulation will be filed and the specified level of discipline for successful completion of or termination from the Program as set forth in the State Bar Court's Statement Re: Discipline shall be imposed or recommended to the Supreme Court.

8/13/07
Date


Respondent's Signature

Robert Davis Bills, Jr.
Print Name

Aug. 14, 2007
Date


Deputy Trial Counsel's Signature

Eric H. Hsu
Print Name

(Do not write above this line.)

In the Matter Of ROBERT DAVIS BILLS, JR.	Case Number(s): 04-O-15533, 05-O-03682, and 05-O-04182
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ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulation as to facts and conclusions of law is APPROVED.
- The stipulation as to facts and conclusions of law is APPROVED AS MODIFIED as set forth below.
- All court dates in the Hearing Department are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation; or 3) Respondent is not accepted for participation in the Program or does not sign the Program Contract. (See rule 135(b) and 802(b), Rules of Procedure.)

2/22/07
Date


Judge of the State Bar Court

RICHARD A. PLATEL

CERTIFICATE OF SERVICE
[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on February 28, 2008, I deposited a true copy of the following document(s):

STIPULATION RE FACTS AND CONCLUSIONS OF LAW; CONFIDENTIAL STATEMENT OF ALTERNATIVE DISPOSITIONS AND ORDERS; CONTRACT AND WAIVER FOR PARTICIPATION IN THE STATE BAR COURT'S ALTERNATIVE DISCIPLINE PROGRAM

in a sealed envelope for collection and mailing on that date as follows:

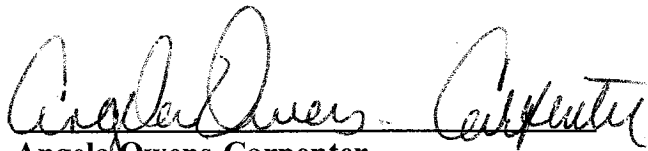
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ROBERT D BILLS JR
LAW OFC ROBERT D BILLS JR
321 3RD ST
LAGUNA BEACH CA 92651

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

DAVID SAUBER, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **February 28, 2008**.



Angela Owens-Carpenter
Case Administrator
State Bar Court