

**FILED**

**FEB 11 2015**

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STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

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8 **STATE BAR COURT**  
9 **HEARING DEPARTMENT - SAN FRANCISCO**

10 In the Matter of:

CASE NO.: 14-O-03000 [ 14-O-03448 &  
14-O-105670]

11 JUDSON THOMAS FARLEY,  
12 No. 83378

**ANSWER TO NOTICE OF  
DISCIPLINARY CHARGES**

13  
14 A Member of the State Bar,  
15

16  
17 Respondent, Judson Thomas Farley, answers the allegations set forth in the  
18 Notice of Disciplinary Charges as follows:

19 **Jurisdiction**

20 1. Respondent admits the allegations set forth in paragraph 1 of the Notice.

21 **Answer to Count One**

22 2. Respondent denies the allegations set forth in Count One. Respondent  
23 affirmatively alleges Veronica Barboza-Santana first consulted him about filing  
24 bankruptcy on December 30, 2010. Respondent did not charge Ms. Barboza for that  
25 consultation. Respondent did not hear from Ms. Barboza again until June 28, 2012,  
26 when she retained him to file a Chapter 7 bankruptcy for her. Respondent prepared the  
27 bankruptcy petition and schedules and Ms. Barboza signed them. Respondent advised  
28 Ms. Barboza that the case could not be filed until she took a credit counseling course.



1 and provided her with the information she needed to take that course. Ms. Barboza did  
2 not take the course until April 15, 2013. Attached hereto as Exhibit A are copies of her  
3 Certificate of Counseling and her email to respondent transmitting the certificate. At that  
4 time, respondent was engaged in defending himself in disciplinary case no. 13-0-  
5 10698. Due to the precipitous decline in the number of bankruptcy case filings and the  
6 public record of the disciplinary proceedings in case no. 13-0-10698, respondent's law  
7 practice was effectively ended. He could no longer afford a secretary and was doing all  
8 of the work himself. Very soon after the June 28, 2012, consultation, Ms. Barboza and  
9 her husband moved to Los Banos. When Ms Barboza's bankruptcy paperwork was  
10 originally prepared, she was living in Watsonville and the case was prepared to file in  
11 the Northern District of California. When Ms. Barboza completed her credit counseling  
12 in April 2013, respondent advised her that the paperwork would have to be redone to  
13 file in the Eastern District. Because respondent was dealing with the factors  
14 enumerated above, there was a delay in getting the paperwork done. Respondent does  
15 not recall when Ms. Barboza next contacted him about the status of her case.  
16 However, when she did, respondent offered to make filing the case a priority. Sometime  
17 thereafter, Ms. Barboza contacted respondent and demanded a refund. Respondent  
18 replied that he believed a portion of the retainer had been earned and that part of the  
19 delay in filing the case was due to Ms. Barboza's failing to take the credit counseling  
20 course for ten months and her move to Los Banos. Before respondent and Ms.  
21 Barboza were able to resolve the fee issue, she filed her complaint with the State Bar.  
22 Respondent is willing to refund a portion of the retainer paid by Ms. Barboza if the  
23 amount can be agreed upon

24 **Answer to Count Two**

25 3. Respondent denies the allegations set forth in Count Two.

26 **Answer to Count Three**

27 4. Respondent denies the allegations set forth in Count Three.

28



1 check or other mutually agreed upon arrangements.

2 **Answer to Count Nine**

3 10. Respondent admits he failed to provide a substantive response to the State  
4 Bar's letters of June 23 and July 9, 2014. The letters requested proof of payments to  
5 Deborah Bryan for spousal from January 1, 2003, to the present. Although it might be  
6 possible for respondent to reconstruct the payment history for those ten and one half  
7 years, the request is extremely burdensome and the issue has already been litigated  
8 and decided in the Superior Court..

9 **Answer to Count Ten**

10 11. Answering the allegations of Count Ten, respondent admits that he has not  
11 complied with the conditions of his probation. Catherine Taylor sent respondent an  
12 email stating that, if she pursued the charges in Case No. 13-0-14287, she would seek  
13 respondent's disbarment. Respondent has suffered serious, although not yet medically  
14 diagnosed, depression as a result of these disciplinary proceedings. He has postponed  
15 beginning his probation pending the outcome of the pending proceedings. If the  
16 pending matters can be resolved, he will come into compliance with the conditions of  
17 his probation immediately..

18

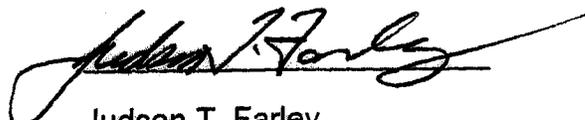
19 **VERIFICATION**

20 I, Judson T. Farley, declare:

21 I am the respondent in the above-entitled action. I have read the foregoing  
22 answer and know the contents thereof. The same is true of my own knowledge.

23 I declare under penalty of perjury under the laws of the State of California that  
24 the foregoing is true and correct.

25 Dated 2/9/15

  
Judson T. Farley

26

27

28

**EXHIBIT A**



**Credit Counseling Cert.- Veronica Barboza**

Monday, April 15, 2013 12:02 PM

**From:** "Veronica Santana" <vsantana003@gmail.com>

**To:** judsonfarley@sbcglobal.net

1 File (17KB)



5083barb...

Hello Mr. Farley,

I apologize for the long delay. Attached is my pre-bankruptcy certificate. Should you have any question my number is (209) 704-0480.

Thank you,  
Veronica Barboza

Certificate Number: 08064-CAE-CC-020742203



08064-CAE-CC-020742203

## CERTIFICATE OF COUNSELING

I CERTIFY that on April 15, 2013, at 12:56 o'clock PM CDT, Veronica Barboza received from Consumer Financial Education Foundation of America, Inc., an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the Eastern District of California, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: April 15, 2013 By: /s/Scott Whyrick

Name: Scott Whyrick

Title: Vice President

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).