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JUL 28 2017 *ML*

STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 17-Q-02040
)	
ROBERT GLENN V. CAMPBELL,)	RECOMMENDATION ON
)	RESIGNATION
A Member of the State Bar, No. 212149.)	
_____)	

On April 10, 2017, respondent Robert Glenn V. Campbell filed a resignation with charges pending and was transferred to inactive status. On June 9, 2017, the Office of Chief Trial Counsel of the State Bar (OCTC) filed its report and recommendation regarding the resignation; it recommends that the resignation be rejected. We recommend that the Supreme Court reject the resignation based on OCTC's recommendation and in light of the grounds set forth in California Rules of Court, rule 9.21(d),¹ as detailed below.

I. BACKGROUND

Respondent was admitted to practice law in California on January 2, 2001.

He has one prior record of discipline. In February 2014, the parties entered into a Stipulation re Facts, Conclusions of Law and Disposition (State Bar Court Case Nos. 12-O-15501; 12-O-17153; 12-O-17256; 12-O-17308; 13-O-15490; 13-O-17199). Therein, respondent stipulated to misconduct in six immigration matters. In the first matter, he: (1) failed to perform legal services with competence (Rules Prof. Conduct, rule 3-110(A)); (2) made false statements to his client (Bus. & Prof. Code, § 6106); (3) failed to render an accounting (Rules

¹ All further references to rules are to this source unless otherwise noted.

Prof. Conduct, rule 4-100(B)(3)); (4) failed to refund promptly, upon termination of employment, \$4,335 in unearned fees (Rules Prof. Conduct, rule 3-700(D)(2)); and (5) failed to return his client's files (Rules Prof. Conduct, rule 3-700(D)(1)). In the second matter, he: (1) failed to perform legal services with competence (Rules Prof. Conduct, rule 3-110(A)); (2) made false statements to his client (Bus. & Prof. Code, § 6106); (3) failed to render an accounting (Rules Prof. Conduct, rule 4-100(B)(3)); (4) failed to refund promptly, upon termination of employment, \$5,515 in unearned fees (Rules Prof. Conduct, rule 3-700(D)(2)); and (5) failed to return his client's files (Rules Prof. Conduct, rule 3-700(D)(1)). In the third matter, he failed to perform legal services with competence (Rules Prof. Conduct, rule 3-110(A)). In the fourth matter, he: (1) failed to perform legal services with competence (Rules Prof. Conduct, rule 3-110(A)); (2) made false statements to his client (Bus. & Prof. Code, § 6106); and (3) failed to return his client's files (Rules Prof. Conduct, rule 3-700(D)(1)). In the fifth matter, he: (1) failed to perform legal services with competence (Rules Prof. Conduct, rule 3-110(A)); and (2) failed to refund promptly, upon termination of employment, \$3,005 in unearned fees (Rules Prof. Conduct, rule 3-700(D)(2)). And in the sixth matter, he: (1) failed to perform legal services with competence (Rules Prof. Conduct, rule 3-110(A)); (2) failed to promptly respond to his client's reasonable status inquiries (Bus. & Prof. Code, § 6068, subd. (m)); (3) made false statements to his client (Bus. & Prof. Code, § 6106); and (4) failed to return his client's files (Rules Prof. Conduct, rule 3-700(D)(1)). In aggravation, respondent's misconduct involved multiple acts, significantly harmed his clients, and he failed to make restitution. In mitigation, he did not have a prior record of discipline in 10 years of practice and cooperated by entering into a pretrial stipulation.

Imposing the stipulated disposition, on June 26, 2014, (effective July 26, 2014), the Supreme Court ordered respondent suspended for three years, execution stayed, and placed on

probation for three years subject to the conditions of probation, including that he be actually suspended for a period of two years and until he showed satisfactory proof of rehabilitation and fitness to practice law and until he paid restitution to his clients. (*In re Robert Glen V. Campbell* (S218143).)

Currently, respondent is the subject of three client complaints and charges are pending against respondent in one matter. On June 10, 2016, OCTC filed a notice of disciplinary charges in State Bar Court Case No. 15-O-13606, charging respondent with: the failure to perform with competence; the failure to inform his client of significant developments; seeking to mislead a judge and committing an act of moral turpitude; and the improper withdrawal from employment. Respondent's default was entered in this matter on April 11, 2017, because respondent did not appear for trial.

II. CONSIDERATION OF THE GROUNDS SET FORTH IN RULE 9.21(d)

We have considered respondent's resignation under the grounds set forth in rule 9.21(d). We summarize below the relevant information for each ground:

1. Whether the preservation of testimony is complete.

OCTC reports that there is no need for the perpetuation of evidence.

2. Whether after transfer to inactive status, respondent has practiced law or has advertised or held himself out as entitled to practice law.

OCTC reports it has no information that respondent has continued to practice law or held himself out as entitled to practice law since he filed his resignation.

3. Whether respondent performed the acts specified in rule 9.20(a)-(b).

OCTC declares on information and belief that respondent has failed to refund to a complaining witness an unearned fee, and, thus respondent has falsely stated on the rule 9.20

compliance declaration filed on May 8, 2017, that he has earned all fees paid to him. Thus, respondent cannot be said to be in compliance with rule 9.20.

4. Whether respondent provided proof of compliance with rule 9.20(c).

See above explanation.

5. Whether the Supreme Court has filed a disbarment order.

The Supreme Court has not filed a disbarment order.

6. Whether the State Bar Court has filed a decision recommending disbarment.

The State Bar Court has not filed a decision recommending respondent's disbarment. On June 12, 2017, OCTC filed a petition for disbarment in the State Bar Court Hearing Department following respondent's default in State Bar Court Case No. 15-O-13606. The Hearing Department has not ruled on the petition.

7. Whether respondent previously resigned or has been disbarred and reinstated to the practice of law.

Respondent has not previously resigned or been disbarred.

8. Whether respondent entered a stipulation with OCTC as to facts and conclusions of law regarding pending disciplinary matters.

OCTC reports that the parties have not entered into a stipulation as to facts and conclusions of law regarding the pending charges. On April 10, 2017, and again on April 12, 2017, OCTC transmitted a proposed stipulation to respondent. Respondent requested additional time to consider the proposed stipulation but, as of June 9, 2017, OCTC states that respondent has not responded further.

9. Whether accepting respondent's resignation will reasonably be inconsistent with the need to protect the public, the courts, or the legal profession.

Acceptance of respondent's resignation would be inconsistent with the need to protect the public, the courts, and the legal profession. Respondent's first discipline was for very serious misconduct, and he is again charged with serious misconduct, and, according to OCTC has failed to refund unearned fees, contrary to his statement in his 9.20 compliance declaration. Further, the parties have not entered into a stipulation regarding the pending or unfiled charges. Finally, respondent is in default and facing disbarment as a result. Under these circumstances, we find that respondent should not be allowed the benefit of resigning because it would undermine public confidence in the disciplinary system and the legal profession.

III. RECOMMENDATION

We recommend that the Supreme Court decline to accept the resignation of Robert Glenn V. Campbell, State Bar number 212149.

PURCELL

Presiding Judge

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 July 28, 2017, I deposited a true copy of the following document(s):

ORDER FILED JULY 28, 2017

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 GLENN V CAMPBELL
1350 W ROBINHOOD DR STE 5
STOCKTON, CA 95207
- by certified mail, No. _____, with return receipt requested, through the United States Postal Service at _____, California, addressed as follows:
- by overnight mail at _____, California, addressed as follows:
- by fax transmission, at fax number _____. No error was reported by the fax machine that I used.
- By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Sherrie McLetchie, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 28, 2017.



Nikiah Hawkins
Case Administrator
State Bar Court