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The State Bar of California alleges:

JURISDICTION

1. ROBERT ROMAN ("Respondent") was admitted to the practice of law in the State of California on October 31, 1980, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 13-O-17137
Business and Professions Code, section 6068(a)
[Failure to Comply With Laws – Unauthorized Practice of Law]

2. On or about August 13, 2013, Respondent held himself out as entitled to practice law and actually practiced law when Respondent was not an active member of the State Bar, by filing an answer to an unlawful detainer action in Orange County Superior Court, in the case entitled *Casey Johnson v. Gloria Lin Roman, Robert Roman, Jose A. Marrufo, et-al.*, Case No. 2013-665582, in which he represented to the court that he is the "Attorney for Defendants," in violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

COUNT TWO

Case No. 13-O-17137
Business and Professions Code, section 6106
[Moral Turpitude]

3. On or about August 13, 2013, Respondent held himself out as entitled to practice law and actually practiced law when Respondent knew, or was grossly negligent in not knowing, Respondent was not an active member of the State Bar by filing an answer to an unlawful detainer action in Orange County Superior Court, in the case entitled *Casey Johnson v. Gloria Lin Roman, Robert Roman, Jose A. Marrufo, et-al.*, Case No. 2013-665582, in which he represented to the court that he is the "Attorney for Defendants," and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

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COUNT THREE

Case No. 13-O-17137
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

4. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of February 25, 2014 and March 28, 2014, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 13-O-17137, in willful violation of Business and Professions Code, section 6068(i).

COUNT FOUR

Case No. 13-O-17225
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

5. On or about May 8, 2013, Arturo Balderas, Jr. employed Respondent to perform legal services, namely to represent his incarcerated father in a marital dissolution matter, in which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by performing no legal services of value on behalf of the client.

COUNT FIVE

Case No. 13-O-17225
Rules of Professional Conduct, rule 3-310(F)
[Accepting Fees From a Non-Client]

6. On or about May 8, 2013, Respondent accepted \$2,500.00 from Arturo Balderas, Jr. as compensation for representing a client, Arturo Balderas, Sr., without obtaining his client's informed written consent to receive such compensation, in willful violation of the Rules of Professional Conduct, rule 3-310(F).

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COUNT SIX

Case No. 13-O-17225
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

7. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's client, Arturo Balderas, Sr., by constructively terminating Respondent's employment on or about May 8, 2013, by failing to take any action on the client's behalf after his employment, and thereafter failing to inform the client that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT SEVEN

Case No. 13-O-17225
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

8. On or about May 8, 2013, Respondent received advanced fees of \$2,500 from Arturo Balderas, Jr., for preparation of a marital dissolution petition. Respondent performed no services of value on behalf of the client and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about May 8, 2013, any part of the \$2,500 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT EIGHT

Case No. 13-O-17225
Rules of Professional Conduct, rule 4-100(B)(4)
[Failure to Pay Client Funds Promptly]

9. On or about May 8, 2013, Respondent received from Arturo Balderas, Jr., a check in the amount of \$500 for "costs - filing fee - service of petition." Respondent never incurred a "filing fee" or "service of petition" expense, nor any other expense on behalf of Balderas, nor otherwise expended the funds on behalf of Balderas. On or about May 8, 2013, Respondent terminated his representation. On or about November 6, 2013, Balderas went to Respondent's office and demanded a return of the advanced costs. To date, Respondent has failed to pay

1 promptly, as requested by Arturo Balderas, Jr., any portion of the \$500 in Respondent's
2 possession, in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

3 COUNT NINE

4 Case No. 13-O-17225
5 Rules of Professional Conduct, rule 4-100(A)
6 [Failure to Deposit Client Funds in Trust Account]

7 10. On or about May 8, 2013, Respondent received from Respondent's client, Arturo
8 Balderas, Jr., a check in the sum of \$500 for "costs – filing fee – service of petition." Respondent
9 failed to deposit these funds received for the benefit of the client in a bank account labeled "Trust
10 Account," "Client's Funds Account" or words of similar import, in wilful violation Rules of
11 Professional Conduct, rule 4-100(A).

12 COUNT TEN

13 Case No. 13-O-17225
14 Business and Professions Code, section 6106
15 [Moral Turpitude - Misappropriation]

16 11. On or about May 8, 2013, Respondent received from Respondent's client, Arturo
17 Balderas, Jr., a check in the amount or \$500 for "costs - filing fee - service of petition." Of this
18 sum, Balderas was entitled to \$500. Respondent never deposited the check in a client trust
19 account, but instead Respondent dishonestly or grossly negligently misappropriated for
20 Respondent's own purposes the \$500 that Respondent's client was entitled to receive, and
21 thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation
22 of Business and Professions Code, section 6106.

23 COUNT ELEVEN

24 Case No. 13-O-17225
25 Business and Professions Code, section 6068(i)
26 [Failure to Cooperate in State Bar Investigation]

27 12. Respondent failed to cooperate and participate in a disciplinary investigation
28 pending against Respondent by failing to provide a substantive response to the State Bar's letters
of February 27, 2014, and March 24, 2014, which Respondent received, that requested
Respondent's response to the allegations of misconduct being investigated in case no. 13-O-
17225, in willful violation of Business and Professions Code, section 6068(i).

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COUNT THIRTEEN

Case No. 14-O-03839
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

14. On or about October 9, 2013, Respondent stated in writing to the Office of Probation of the State Bar of California that: 1) he had complied with all the provisions of the State Bar Act and the Rules of Professional Conduct, and all conditions of probation in case nos. 12-O-10256 and 12-O-12009 during the period from August 8, 2013 through September 30, 2013, and 2) that he did not practice law at any time during the period from August 8, 2013 through September 30, 2013, when Respondent knew or was grossly negligent in not knowing the statements were false, and thereby committed an act or acts involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

NOTICE - INACTIVE ENROLLMENT!

YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.

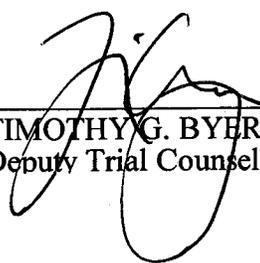
NOTICE - COST ASSESSMENT!

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: July 29, 2014 _____

By:  _____
TIMOTHY G. BYER
Deputy Trial Counsel

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 13-O-17137, 13-O-17225, 14-O-03839

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within:

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, **Article No.: 7196 9008 9111 1008 1332**, at Los Angeles, on the date shown below, addressed to:

**Robert Roman
Roman Law Firm
13089 Peyton Drive #C160
Chino Hills, CA 91709**

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

Executed at Los Angeles, California, on the date shown below.

DATED: July 29, 2014

Signed: *Carmen Corona*
Carmen Corona
Declarant