

**BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL B**

IN RE: NORMAN DAVID ANGELERI

Arkansas Bar ID #2002040

CPC Docket No. 2006-038

CONSENT FINDINGS & ORDER

The formal charges of misconduct upon which this Consent Order is premised, involving Respondent Attorney Norman David Angeleri of Conway, Faulkner County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by Donna M. Rush of Little Rock. Following Respondent Attorney's receipt of the formal complaint, the attorney entered into discussion with the Executive Director which has resulted in an agreement to discipline by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2002).

Donna Rush of Little Rock saw Mr. Angeleri on November 10, 2005, and retained him to file a Chapter 7 Bankruptcy petition for her. She signed a written fee agreement and eventually paid him a total of at least \$400.00 for his legal fee, the filing fee, and the credit counseling fee. She had difficulty obtaining information from him or his law office about her matter in the following months. On February 3, 2006, she went to his office and participated in the telephone counseling from a non-profit counseling provider to obtain the required certificate she needed for him to then file her petition. He failed to file for her. She finally went to another lawyer, who promptly filed a Chapter 13, wage-earner, petition on April 7, 2006, for a legal fee of \$2,550 and a filing fee of \$274.00.

According to Mr. Angeleri's testimony before Judge Audrey Evans in bankruptcy court on another matter on February 7, 2006, he was licensed in 2002 but never practiced law until mid-2005, when he set up a solo practice in Conway. Around September 2005 he secured a billboard ad on the Interstate highway between North Little Rock and Conway advertising his services for bankruptcy clients. According to his testimony the response was overwhelming, causing him substantial problems. As of April 17, 2006, he was the attorney of record in 150 pending bankruptcy cases filed in the Eastern District of Arkansas between September 1 and October 16, 2005, and five cases in the Western District of Arkansas filed on October 16, 2005. The new bankruptcy law went into effect on October 17, 2005, accounting for the rush to file by so many debtors. Prior to being served with the complaint in this case, he failed to contact Ms. Rush and offer to refund her funds which he did not earn as fees or expend as a filing fee for her benefit. After being served with the complaint, Mr. Angeleri refunded \$350 to Ms. Rush.

Upon consideration of the formal complaint and attached exhibits, admissions made by the Respondent Attorney, the terms of the written consent, the approval of Panel B of the Committee on Professional Conduct, and the Arkansas Model Rules of Professional Conduct, the Committee on Professional Conduct finds:

A. Mr. Angeleri's conduct violated Rule 1.3 in that Ms. Rush hired and paid him starting on November 10, 2005, to file her Chapter 7 bankruptcy petition and he failed to file anything for her by late March 2006, causing her to have to retain and pay another lawyer to accomplish what he failed to accomplish for her. Arkansas Rule 1.3 requires that a lawyer shall act with reasonable diligence and promptness in representing a client.

B. Mr. Angeleri's conduct violated Rule 1.4(a)(3) in that he failed to keep Ms. Rush reasonably informed from November 10, 2005, through late March 2006 about the status of the bankruptcy matter she hired him to undertake. Arkansas Rule 1.4(a)(3) requires that a lawyer shall keep the client reasonably informed about the status of the matter.

WHEREFORE, in accordance with the consent to discipline presented by M and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent NORMAN DAVID ANGELERI, Arkansas Bar No. 2002040, be, and hereby is, REPRIMANDED for his conduct in this matter, and assessed Committee costs of \$50.00. The costs assessed herein shall be payable by cashier's check or money order payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct with thirty (30) days of the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court.

ARKANSAS SUPREME COURT COMMITTEE
ON PROFESSIONAL CONDUCT - PANEL B

By _____

Harry Truman Moore, Chairperson, Panel B

Date _____