

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

IN RE: **NORMAN DAVID ANGELERI**
Arkansas Bar ID #2004040
CPC Docket No. 2006-072

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 Jennifer Rivas of Little Rock.

Jennifer Rivas of Little Rock hired Mr. Angeleri on December 3, 2005, to file for a divorce for her in Saline County. He quoted her a fee of \$350 plus the filing fee. By January 25, 2006, she had paid him a total of \$520, as shown by her checks and receipt. On January 5, 2006, he filed her Complaint as Saline Circuit No. DR-2006-15-1, and paid a \$140 filing fee. After her last payment to Mr. Angeleri on January 25, 2006, she was unable to make contact with him to learn anything about her case. She retained the services of attorney William Cavanaugh in mid-April 2006, who filed an Amended Complaint for Divorce May 11, 2006, and thereafter represented her. She had to pay Mr. Cavanaugh an additional \$240 to complete the legal work she paid Mr. Angeleri in full to do. Mr. Angeleri abandoned Ms. Rivas and failed to complete the legal services for which she paid him in full.

Following Respondent Angeleri'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). 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 1.16(d) in that he was paid his full quoted legal fee and filing fee to represent Jennifer Rivas in her divorce action he filed but then abandoned. Mr. Angeleri failed to refund to Ms. Rivas the unearned portion of the fee she paid him for the matter until after she filed a complaint with the Office of Professional Conduct. Arkansas Rule 1.16(d) requires that, upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred.

B. Mr. Angeleri's conduct violated Rule 8.4(c) in that he accepted full fee payment from Jennifer Rivas to handle her divorce, filed same, and then abandoned her without notice or explanation or refund of the unearned portion of the fee she paid him, conduct involving dishonesty, fraud, deceit or misrepresentation. Arkansas Rule 8.4(c) provides that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

WHEREFORE, in accordance with the consent to discipline presented by Mr. Angeleri and the Executive Director, it is the decision and order of Panel B 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 he is ordered to pay \$50.00 Committee case costs. 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 within 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 _____
Henry Hodges, Chairperson, Panel B

Date _____