

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

IN RE: **NORMAN DAVID ANGELERI**  
Arkansas Bar ID # 2002040  
CPC Docket No. 2006-106

**CONSENT FINDINGS & ORDER**

The formal charges of misconduct upon which this Consent Order is premised, involving respondent attorney of Norman David Angeleri of Conway, Faulkner County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by Pamela Cox of Russellville.

Pamela Cox of Russellville hired Mr. Angeleri on November 28, 2005, and paid him a partial fee payment (\$175) to file a Chapter 7 bankruptcy petition for her. By February 27, 2006, she had paid Mr. Angeleri a total of \$400, his total quoted fee of \$350 plus the \$50 required credit counseling fee. He never filed her petition. Mr. Angeleri closed his Little Rock office and she was thereafter unable to locate or contact him about her legal matter.

In August 2006, she hired Little Rock attorney Clarence Cash to file her Chapter 7, which he did on August 7, 2006. Mr. Angeleri promised to make a refund to her, and finally sent a check for \$175 to her through Mr. Cash on August 31, 2006. That check was replaced by Mr. Angeleri's personal check #1118 for \$350.00 dated September 12, 2006, which Mr. Cash forwarded to Ms. Cox on September 20, 2006.

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 on February 16, 2007, finds:

A. Mr. Angeleri's conduct violated Rule 1.16(d) in that upon termination of his employment by Ms. Cox, effectively by him abandoning her, Mr. Angeleri failed to make a refund to Ms. Cox of the unearned portion of the \$350 she had paid him, until he was notified of the filing by her of a disciplinary complaint against him. 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. The lawyer may retain papers relating to the client to the extent permitted by other law.

B. Mr. Angeleri's conduct violated Rule 8.4(c) in that after being hired and paid in full by Pamela Cox not later than February 27, 2006, to file her Chapter 7 bankruptcy petition, he closed his Little Rock law office. Thereafter Ms. Cox could not locate or contact Mr. Angeleri, and he failed to file any bankruptcy petition for her. Ms. Cox paid the new-rule \$299 bankruptcy filing fee on August 24, 2006, to Mr. Cash after he filed her Chapter 7 petition. By e-mail to Stark Ligon dated August 11, 2006, Mr. Angeleri stated that he would send Mr. Cash the filing fee he had her pay since she had already paid Mr. Angeleri the filing fee. Mr. Angeleri finally sent a first check for \$175, which did not cover the filing fee she actually paid, as Mr. Angeleri stated

he would, or even cover the \$209 or \$284 filing fee Mr. Angeleri quoted in his Attorney Fee Agreement with Ms. Cox, conduct by Mr. Angeleri 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 the Arkansas law license of Respondent **NORMAN DAVID ANGELERI**, Arkansas Bar No. 2002040, be, and hereby is, **SUSPENDED FOR THREE (3) MONTHS** for his conduct in this matter, and he is ordered to pay \$50.00 Committee case costs. This license suspension shall run concurrently with any other license suspensions imposed by the Committee at this time as part of these disciplines by consent. The suspension shall become effective on the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court, which shall be on April 2, 2007.

As additional conditions upon Respondent in any petition for reinstatement, he shall present proof satisfactory to the Panel that he does not then suffer from any mental, physical or emotional condition or defect which will prevent him from performing his duties as an attorney.

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 \_\_\_\_\_