

IN THE SUPREME COURT OF PENNSYLVANIA

In the Matter of: : No. 1912 Disciplinary Docket No. 3
: :
ROBERT LANGSTON WILLIAMS : No. 7 DB 2013
: :
: Attorney Registration No. 74658
: :
PETITION FOR REINSTATEMENT : (Chester County)

ORDER

PER CURIAM

AND NOW, this 21st day of January, 2020, the Petition for Reinstatement is granted. Petitioner is directed to pay the expenses incurred by the Board in the investigation and processing of the Petition for Reinstatement. See Pa.R.D.E. 218(f).

A True Copy Patricia Nicola
As Of 01/21/2020

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

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REPORT AND RECOMMENDATIONS OF
THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 218(c)(5) of the Pennsylvania Rules of Disciplinary Enforcement, The Disciplinary Board of the Supreme Court of Pennsylvania submits its findings and recommendations to your Honorable Court with respect to the above captioned Petition for Reinstatement.

I. HISTORY OF PROCEEDINGS

By Order dated June 25, 2015, the Supreme Court of Pennsylvania suspended Petitioner, Robert Langston Williams, from the practice of law for a period of five years, retroactive to April 16, 2013. By Petition for Reinstatement filed on November

29, 2018, Petitioner seeks reinstatement to the bar of this Commonwealth. Office of Disciplinary Counsel filed a Response to Petition on January 24, 2019.

On April 23, 2019, a District IV Hearing Committee (“Committee”) conducted a reinstatement hearing. Petitioner appeared pro se and testified on his own behalf. Petitioner presented the testimony of two witnesses and offered into evidence Petitioner’s Exhibits 1 and 2, which were admitted without objection. Office of Disciplinary Counsel did not present any witnesses or introduce any exhibits.

On June 3, 2019, Petitioner filed a brief to the Committee in support of his reinstatement.

On June 20, 2019, Office of Disciplinary Counsel filed a letter in lieu of brief and stated that it did not oppose Petitioner’s reinstatement.

By Report filed on August 14, 2019, the Committee concluded that Petitioner met his reinstatement burden and recommended that the Petition for Reinstatement be granted.

The parties did not take exception to the Committee’s recommendation.

The Board adjudicated this matter at the meeting on October 17, 2019.

II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner is Robert Langston Williams, born in 1962 and admitted to practice law in the Commonwealth in 1995. Petitioner’s attorney registration address is 1044 Tinkerhill Lane, Malvern PA 19355.

2. Petitioner was admitted to the bar of the Commonwealth of Virginia in 1998 and the bar of the United States Supreme Court in 1999, as well as the federal courts of Maryland and the District of Columbia. P-1.

3. Following his Pennsylvania bar admission, Petitioner worked as a general practitioner in Pittsburgh before focusing his practice on bankruptcy law. P-1; N.T. 34.

4. In or around 2004, in addition to his private practice of law, Petitioner began working as a bankruptcy trustee at the United States Trustee's Office, where he worked for approximately five years. N.T. 35-36.

5. By Order of the Supreme Court of Pennsylvania dated June 25, 2015, Petitioner was suspended for a period of five years, retroactive to April 16, 2013.

6. Prior to the suspension, Petitioner had no record of professional discipline.

7. Petitioner's law license in Virginia was suspended reciprocal to his Pennsylvania suspension and he was disbarred in the United States Supreme Court reciprocal to his Pennsylvania suspension.

8. Petitioner's suspension was based upon two criminal convictions.

9. Petitioner was convicted in October 2012 in the Court of Common Pleas of Allegheny County of the crime of Misapplication of Entrusted Funds, in violation of 18 Pa.C.S. § 4113(a). P-1.

10. The matter involved a business venture that was unrelated to Petitioner's law practice. N.T. 37.

11. Petitioner and his business partner had agreed to use funds for the joint business venture, but instead, Petitioner used the funds for improvements on his personal residence.

12. In that matter, pursuant to a plea agreement, Petitioner was sentenced to one year of probation and restitution of \$85,000. P-1.

13. At the time of Petitioner's sentencing, he had made full restitution, and he then successfully completed his probation. P-1, No. 5(c).

14. In November 2012, Petitioner was convicted in the United States District Court for the Western District of Pennsylvania of two counts of Willful Failure to File Tax Returns, in violation of 26 U.S.C. § 7203. P-1.

15. Pursuant to a plea agreement, Petitioner was sentenced to three years of probation, a fine of \$25,000, and restitution of \$138,777. *Id.*

16. Petitioner successfully completed his probation, but still owes \$106,277 towards restitution. N.T. 29, 45.

17. Petitioner made payment arrangements with the United States Attorney's Office financial litigation unit to pay 10% of his monthly income per month to pay down his debt. *Id.*

18. After Petitioner was suspended from practicing law, his former spouse was sentenced to eleven years in federal prison for crimes unrelated to Petitioner's convictions. N.T. 39-40.

19. As such, for the first two years after his suspension, Petitioner was a single parent and cared for his four daughters while their mother was in prison. Petitioner

immersed himself in raising his daughters, which included volunteering to coach their track and field team. N.T. 40.

20. During his suspension, Petitioner generated income from referral fees from cases that he transferred to other lawyers prior to his suspension. *Id.*

21. After two years of caring for his children, Petitioner sought employment, but had difficulty obtaining work due to his criminal convictions. Petitioner explained that he did not try to hide his convictions. N.T. 40-41.

22. Petitioner opened a small painting business and sold real estate for a period of time. P-1; N.T. 41, 42.

23. Beginning in 2017, Petitioner worked as a paralegal for Dai Rosenblum, Esquire, in compliance with the applicable Pennsylvania Rules of Disciplinary Enforcement governing formerly admitted attorneys. P-1; N.T. 48, 64.

24. Petitioner remarried and moved from Allegheny County to Chester County. In March 2019, Petitioner began working as a car salesman at a Land Rover Jaguar dealership in Wayne, Pennsylvania, where he is currently employed. P-1; N.T. 30, 43-44.

25. Petitioner's employment at the car dealership allows him to make payments towards his restitution debt. N.T. 30-31.

26. Petitioner previously had a number of civil judgments against him. He filed for Chapter 7 and the debts related to these judgments have been discharged. N.T. 47, 48.

27. Petitioner expressed genuine remorse and sincere regret for his misconduct.

28. Petitioner admitted that his arrogance, along with distractions and personal issues, ultimately clouded his judgment and led him to act in ways for which he is sorry. N.T. 16.

29. Petitioner took responsibility for the conduct that led to his convictions and to his suspension and apologized to the legal community. N.T. 16, 27, 54.

30. Petitioner credibly testified that the transgressions of his past will not be repeated. He described the past ten years of his life as very difficult, humbling and humiliating. N.T. 23.

31. Petitioner's motivation for seeking reinstatement is to show his children and his community that he is a good man. N.T. 16.

32. Prior to filing his Petition for Reinstatement, Petitioner completed the requisite continuing legal education credits and familiarized himself with the legal community in Chester County by sitting in on hearings and meeting with local attorneys. P-1, Ex. 12; NT 19-20, 22

33. During his suspension, Petitioner kept abreast of developments in bankruptcy law and technology. N.T. 19-20.

34. To the extent that he is reinstated, Petitioner testified that he intends to continue working at the car dealership in order to make payments towards his restitution, as well as to save money to open a law practice. N.T. 52.

35. If reinstated, Petitioner believes he can be a positive impact on the bar and his goal is to develop a small practice to assist people in the bankruptcy area, particular those who are losing their homes in foreclosure. N.T. 25-26, 50.

36. Petitioner presented the credible testimony of two character witnesses.

37. Dai Rosenblum, Esquire has practiced law for thirty-nine years and has a bankruptcy practice in Butler, Pennsylvania. Mr. Rosenblum has known and worked with Petitioner in the bankruptcy field for approximately twenty years. N.T. 61-62.

38. Mr. Rosenblum described Petitioner as a reliable employee and had confidence in his skill set. N.T. 65.

39. Mr. Rosenblum testified that Petitioner's suspension humbled Petitioner and changed him for the better. N.T. 66-68.

40. Mr. Rosenblum believes that Petitioner is not a threat to the public and has learned his lesson. He welcomes Petitioner's resumption of the practice of law. N.T. 66, 68.

41. Stephani Williams is Petitioner's wife. She has practiced law for twenty-six years and is the Associate General Counsel for Labor and Employment at IKEA North America. Ms. Williams and Petitioner have a blended family of eight children. N.T. 15, 70.

42. Ms. Williams testified that she is not concerned that Petitioner will engage in the same transgressions as he did in the past because his priorities have changed and he realizes what is important. N.T. 72-73.

43. Ms. Williams is a long-time member of the bar of Southeastern Pennsylvania and intends to help facilitate Petitioner's reentry into the practice of law in that geographic area. N.T. 76.

44. Petitioner submitted letters from fifteen character references, including parents of children whom he coached in track, his pastor, fellow attorneys, and a former Disciplinary Board hearing committee member.

45. In their letters, each of these individuals unequivocally vouched for Petitioner's moral character, professionalism, trustworthiness, and remorse for his actions. P-2.

46. Office of Disciplinary Counsel does not oppose reinstatement.

III. CONCLUSIONS OF LAW

1. Petitioner demonstrated by clear and convincing evidence that he has the moral qualifications, competency and learning in the law required for admission to practice of law in this Commonwealth. Rule 218(c)(3), Pa.R.D.E.

2. Petitioner demonstrated by clear and convincing evidence that his resumption of the practice of law will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. Rule 218(c)(3), Pa.R.D.E.

IV. DISCUSSION

Petitioner seeks readmission to the practice of law in Pennsylvania following his suspension for a period of five years, imposed by the Supreme Court of Pennsylvania on June 25, 2015, retroactive to April 16, 2013. Pursuant to Rule 218(a)(1), Pa.R.D.E., an attorney who is suspended for a period exceeding one year may not resume the practice of law until reinstated by the Supreme Court of Pennsylvania.

Petitioner bears the burden of proving by evidence that is clear and convincing, that he is morally qualified, competent and learned in the law and that his resumption of the practice of law will not be detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. Pa.R.D.E. 218(c)(3). This burden is not light, and reinstatement is not automatic. A reinstatement proceeding is a searching inquiry into a lawyer's present professional and moral fitness to resume the practice of law. The object of concern is not solely the transgressions that gave rise to the lawyer's suspension, but rather, the nature and extent of the rehabilitative efforts made since the time the sanction was imposed and the degree of success achieved in the rehabilitative process. ***Philadelphia News, Inc. v. Disciplinary Board of the Supreme Court of Pennsylvania***, 363 A.2d 779, 780-781 (Pa. 1976).

We conclude from the evidence of record that Petitioner spent his suspension period engaged in genuine rehabilitation. See ***In the Matter of Madeline E. Schwartz***, No. 77 DB 2010 (D. Bd. Rpt. 6/10/2019) (S. Ct. Order 7/22/2019). Petitioner met the requirements of Rule 218(c)(3), Pa.R.D.E., by presenting credible evidence to show his moral qualifications, competency and learning in the law. Although Petitioner's

original misconduct caused his lengthy suspension, he has demonstrated via his own testimony, the testimony of his character witnesses, and his character letters, that his reinstatement will not harm the public or be detrimental to the integrity of the profession.

Petitioner's suspension was predicated upon his state court conviction of misapplication of entrusted funds and his federal court conviction of two counts of willful failure to file tax returns. Petitioner's convictions were not related to his practice of law. Petitioner had no record of professional discipline in Pennsylvania prior to the instant five-year suspension. Pursuant to plea agreements, Petitioner served his probation, paid the entirety of the restitution payment owed in the state court matter, paid approximately \$57,000 towards his fine and restitution in the federal court matter, entered into a payment plan for the balance, and is currently making good faith efforts to pay the balance, which at the time of the reinstatement hearing was \$106,277. Petitioner has no other debt, having discharged his obligations through bankruptcy. Although Petitioner owes an outstanding balance related to the federal court conviction, we conclude that it is not a bar to reinstatement. *See, In the Matter of Andrew Keith Fine*, No. 115 DB 1995 (D. Bd. Rpt. 1/24/2014) (S. Ct. Order 5/23/2014) (non-payment of judgment should not prevent reinstatement where petitioner-attorney has paid the majority of the judgment and is making a good faith effort to resolve the rest).

Petitioner offered credible testimony on his own behalf. He expressed genuine, heartfelt remorse for his actions, for which he felt humiliation and which have humbled him, and he apologized to the legal community for his misconduct. Petitioner accepted full responsibility for his actions that led to his convictions and suspension.

Furthermore, Petitioner demonstrated his clear resolve to avoid misconduct in the future.

The record established that following his suspension, Petitioner cared for his four daughters as a single parent for a period of time, which included active involvement in their extracurricular activities. He then attempted to seek gainful employment through a variety of avenues. Petitioner acted as a paralegal for Mr. Rosenblum, who described him as reliable and having the necessary skill set required for a practicing attorney. Petitioner currently is employed as a car salesman and from this income, he makes payments towards his restitution obligation. Petitioner maintained his competency in the law by completing his required Continuing Legal Education credits, keeping abreast of developments in bankruptcy law, and familiarizing himself with the Chester County legal community by observing hearings and meeting with local attorneys. While Petitioner is looking forward to resuming the practice of law, he intends to remain employed at the car dealership for the time being in order to continue making the restitution payments. Eventually, Petitioner intends to practice bankruptcy law in a small firm setting.

Petitioner's witnesses support his readmission to the bar. Mr. Rosenblum, who has known Petitioner for two decades, credibly testified that Petitioner has the moral qualifications necessary to practice law, that his readmission would not be detrimental to the integrity and standing of the bar, and that he personally would welcome Petitioner's return to practice. Mr. Rosenblum observed that Petitioner's suspension humbled him and changed him for the better. Ms. Williams credibly testified that Petitioner's life priorities have changed for the better, which will enable him to avoid the transgressions that felled

him in the past. Likewise, the fifteen character letters demonstrate staunch support for Petitioner's reinstatement from the legal profession and members of Petitioner's community.

Under similar circumstances, attorneys have been reinstated to practice law in this Commonwealth. *See In the Matter of Danielle M. Ross*, 179 DB 2013 (D. Bd. Rpt. 5/10/2016) (S. Ct. Order 6/6/2016) (petitioner reinstated following a suspension for 26 months resulting from her conviction of attempting to evade or defeat tax; demonstrated rehabilitation); *In the Matter of Robert William Stein*, No. 90 DB 2012 (D. Bd. Rpt. 10/19/2018) (S. Ct. Order 1/4/2019) (petitioner reinstated following suspension for five years on consent for conviction involving violation of the Sherman Act; demonstrated rehabilitation); *In the Matter of Robert M. Danenberg*, 130 DB 2010 (D. Bd. Rpt. 10/27/2016) (S. Ct. Order 12/2/2016) (petitioner reinstated following suspension for five years on consent resulting from his conviction of wire fraud; met his demonstrated rehabilitation)

Like the petitioners in the above-cited matters, Petitioner demonstrated his rehabilitation and his professional and moral fitness by fulfilling the terms and conditions of his criminal sentences, making arrangements to pay the outstanding restitution, accepting responsibility for his actions, expressing contrition and sincere remorse, and showing that during his period of suspension he made positive changes in his life. Petitioner's witnesses and character letters convincingly demonstrated that his return to practice will not be detrimental to the public or the profession.

Upon the record before us, we conclude that Petitioner has met his burden of proof that he is morally qualified, competent and learned in the law, and that his resumption of the practice of law within the Commonwealth will be neither detrimental to the integrity and standing of the bar nor subversive of the public interest. Petitioner has demonstrated clearly and convincingly that he is fit to practice law. The Board recommends that the Petition for Reinstatement be granted.

V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that Petitioner, Robert Langston Williams, be reinstated to the practice of law.

The Board further recommends that, pursuant to Rule 218(f), Pa.R.D.E., Petitioner be directed to pay the necessary expenses incurred in the investigation and processing of the Petition for Reinstatement.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

By: S/Robert L. Repard
Robert L. Repard, Member

Date: December 11, 2019