

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL, : No. 2585 Disciplinary Docket No. 3  
: :  
Petitioner : No. 185 DB 2018  
: :  
v. : Attorney Registration No. 77526  
: :  
ANGELES ROCA, : (Philadelphia)  
: :  
Respondent :

**ORDER**

**PER CURIAM**

**AND NOW**, this 9<sup>th</sup> day of April, 2019, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board, the Joint Petition in Support of Discipline on Consent is granted, and Angeles Roca is suspended on consent from the Bar of this Commonwealth for a period of one year and one day. Respondent shall comply with all of the provisions of Pa.R.D.E. 217 and pay costs to the Disciplinary Board pursuant to Pa.R.D.E. 208(g).

Justice Dougherty did not participate in the consideration or decision of this matter.

A True Copy Patricia Nicola  
As Of 04/09/2019

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner : No. 185 DB 2018

v.

ANGELES ROCA,

: Attorney Registration No. 77526

Respondent : (Philadelphia County)

JOINT PETITION IN SUPPORT OF DISCIPLINE  
ON CONSENT UNDER RULE 215(d), Pa.R.D.E.

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION  
CHIEF DISCIPLINARY COUNSEL

James M. Fox  
Disciplinary Counsel  
Suite 1300, Frick Building  
437 Grant Street  
Pittsburgh, PA 15219  
(412) 565-3173

and

Angeles Roca, Esquire  
Respondent  
231 W. Girard Avenue  
Philadelphia, PA 19123  
(267) 679-6443

and

Samuel C. Stretton, Esquire  
Counsel for Respondent  
Law Office of Samuel C. Stretton  
P.O. Box 3231  
West Chester, PA 19381  
(610) 696-4243

FILED

02/28/2019

The Disciplinary Board of the  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :  
: Petitioner : No. 185 DB 2018  
: v. :  
: ANGELES ROCA, : Attorney Registration No. 77526  
: Respondent : (Philadelphia County)

JOINT PETITION IN SUPPORT OF DISCIPLINE  
ON CONSENT UNDER RULE 215(d), Pa.R.D.E.

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and James M. Fox, Disciplinary Counsel, files this Joint Petition In Support of Discipline On Consent, Under Rule 215(d), Pa.R.D.E. and respectfully represents as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

2. Respondent, Angeles Roca, was born March 15, 1955. She was admitted to practice law in the Commonwealth of Pennsylvania on May 22, 1996.

3. Respondent's attorney registration mailing address is 231 W. Girard Avenue, Philadelphia, PA 19123.

4. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

5. Respondent previously served as a Judge in the Court of Common Pleas of Philadelphia County from October 25, 2008 until January 13, 2016, at which time she was suspended based upon a complaint filed against her by the Judicial Conduct Board.

6. Upon the filing of formal charges by the Judicial Conduct Board, a trial was held in the Court of Judicial Discipline, commencing on September 8, 2016.

7. Upon conclusion of the trial, and by Opinion dated October 20, 2016, the Court of Judicial Discipline found that Respondent violated the following Judicial Cannons and Constitutional Provisions:

(a) Former Canon 2A of the Code of Judicial Conduct - Judges should . . . conduct themselves at all times in a manner that

promotes public confidence in the integrity and impartiality of the judiciary.

(b) Former Canon 2B of the Code of Judicial Conduct - Judges should not allow their family, social, or other relationships to influence their judicial conduct or judgment. They should not lend the prestige of their office to advance the private interests of others to convey the impression that they are in a special position to influence the judge

(c) Article V, § 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania - Conduct such that brings the judicial office into disrepute

(d) Article V, § 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania - Conduct such that prejudices the proper administration of justice.

(e) An automatic, derivative violation of Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania, inasmuch as it has been found that Respondent's conduct constitutes a violation of former Canons 2A and 2B of the Code of Judicial Conduct.

8. A sanctions hearing was held on November 21, 2016. By Order of the Court of Judicial Discipline, dated December 16, 2016,

Respondent was removed from office and deemed ineligible to hold judicial office in the future.

9. On appeal, the Pennsylvania Supreme Court affirmed the decision of the Court of Judicial Discipline in *In Re: Angeles Roca First Judicial District Philadelphia County*, 173 A.3<sup>rd</sup> 1176 (Pa. 2017).

10. Respondent resumed the practice of law, having filed her Administrative Change in Status, to active, with the Pennsylvania Attorney Registration Office on January 5, 2017.

11. Respondent's Affidavit stating her consent to the recommended discipline is attached as Exhibit A.

SPECIFIC FACTUAL ADMISSIONS AND  
RULES OF PROFESSIONAL CONDUCT VIOLATED

12. Respondent's son, Ian Rexach, was the owner of a barbershop in the City of Philadelphia.

13. On or about March 27, 2012, the Philadelphia City Solicitor's Office filed a complaint in Philadelphia Municipal Court against Ian Rexach for failure to file his 2008 business privilege tax return.

14. Mr. Rexach failed to appear for a hearing on the complaint filed by the city and a default judgment was entered against him on May 15, 2012.

15. Mr. Rexach filed a *pro se* petition to open judgment which was denied on June 12, 2012 by Judge Dawn Segal of the Philadelphia Municipal Court.

16. On June 26, 2012, Respondent initiated a telephone call to then Philadelphia Municipal Court Judge Joseph C. Waters, Jr.

17. As a result of an ongoing FBI investigation against Judge Waters, his telephone conversations were being intercepted.

18. The following conversation took place between Respondent and Judge Waters during the June 26, 2012 telephone call:

Judge Roca: I have a question ... Can you file a motion for reconsideration with [Segal]?

Former Judge Waters: Yeah. You file a Motion for Reconsideration with her and I'll talk to her.

Judge Roca: Huh?

Former Judge Waters: I said file a Motion for Reconsideration with her and I'll talk to her.

Judge Roca: Ok.

Former Judge Waters: Why didn't you call me first?

Judge Roca: Because I didn't know it was late, so I just sent him over and I said, "Just go open it." I didn't know it was beyond the 30 day period. Otherwise, I would have called.

Former Judge Waters: Yeah.

Judge Roca: It was on May 15<sup>th</sup> and he wrote in the petition, "I apologize I got this mixed up with another court date in Municipal Court," and then he wrote, "I wish to reopen my case so that I can resolve this matter and make payment." The bitch denied it. That's a pretty good ... [laughs] ... I mean it's not a legal defense, but give me a break.

19. On June 28, 2012, Respondent's son, Ian Rexach, filed a Petition for Reconsideration in Philadelphia Municipal Court.

20. Subsequent thereto Respondent became aware that Municipal Court Judge Dawn Segal would not be presiding over these types of petitions and motions after June 29, 2012.

21. Respondent initiated a telephone call to Judge Waters on June 29, 2012, and the following exchange took place:

Former Judge Waters: Hey Honey, what's up Babe?

Judge Roca: Do you have Dawn's number?

Former Judge Waters: Who?

Judge Roca: Dawn Segal.

Former Judge Waters: uh ...

Judge Roca: He [Rexach] just filed for reconsideration. They said she [Segal] does 'em right today. So we need to call her today.

Former Judge Waters: Oh. Okay. I'll call Dawn right now. All right.

Judge Roca: It's Ian Rexach. She said call Monday and by Monday she [Segal] would have already decided the decision.

Former Judge Waters: All right. What's his name?



Judge Roca: It's Ian Rexach. R-E-X-A-C-H.

Former Judge Waters: R-E-X-A-C-H. I'll call her right now.

Judge Roca: And it was a Motion for Reconsideration. All right?

Former Judge Waters: All right. Bye-bye.

Judge Roca: Thank you, Baby.

22. In the June 26, 2012 telephone conversation Judge Waters told Respondent he would call Judge Segal regarding the petition filed by Respondent's son.

23. When Respondent learned that Judge Segal would not be hearing such motions after June 29, 2012, she intervened to prevent her son's motion from being heard by a jurist who was not aware of the request for assistance.

24. After the Motion for Reconsideration was granted by Judge Segal, Judge Waters placed two calls to Respondent, both on July 1, 2012.

25. In the initial call on July 1<sup>st</sup> Judge Waters left a voice mail message for Respondent stating "Angie, it's Joe. Dawn Segal just called me. She just said she took care of that thing. All right. Bye-bye."

26. In the second call on July 1<sup>st</sup> the following conversation took place between Judge Waters and Respondent:

Judge Roca: Hello.

Former Judge Waters: Angie, it's Joe. How you doin'?

Judge Roca: Good. What's up?

Former Judge Waters: Not much. That thing's taken care of.

Judge Roca: Thank you, Honey. Thanks so much.

Former Judge Waters: She called me this morning and she said she did it over the weekend. So it's taken care of.

Judge Roca: All right. Cool. Thanks, Baby.

27. On June 3, 2013, as part of an ongoing investigation of Judge Waters, FBI Special Agent Eric Ruona interviewed Respondent.

28. In response to the question of whether Judges call one another to ask for favors, Respondent stated "we don't do that here at all."

29. During the interview, Respondent told the FBI Agent that she would not call another Judge to request a favor for a family member.

30. On April 13, 2015 Respondent filed an answer in response to an informal letter of inquiry that was issued by the Judicial Conduct Board prior to the commencement of formal charges.

31. In her answer Respondent denied any inappropriate communication between herself and Judge Waters concerning her son's case.

32. Respondent stated the following in her written response to the Judicial Conduct Board:

(a) She contacted Judge Waters for procedural assistance only regarding her son's case and after Judge Waters explained that he should file a petition for reconsideration, Respondent stated "I had no further discussion with my son or anyone else concerning his case";

(b) She denied any knowledge that former Judge Waters contacted, or intended to contact, Judge Segal concerning her son's Petition for Reconsideration stating "apparently, Judge Waters contacted Judge Segal. This was without my knowledge and not at my request."

33. After being confronted with the taped telephone conversations between herself and Judge Waters, Respondent filed an amended response to the Judicial Conduct Board on June 18, 2015, wherein she stated the following:

(a) She admitted that Judge Waters suggested that he would speak with Judge Segal concerning her son's case;

(b) She admitted that she contacted Judge Waters on June 29, 2012 to ask him to request that Judge Segal consider the matter promptly as she had learned that Judge Segal would not be hearing these types of cases after June 29, 2012.

34. Respondent admittedly engaged in inappropriate communication with Judge Waters concerning her son's case.

35. Respondent admittedly contacted Judge Waters on June 29, 2012 to request that he contact Judge Segal to ensure that she entertained Respondent's son's petition before Judge Segal stopped hearing these types of petitions.

36. Respondent admittedly failed to report the communications she had with Judge Waters to the Judicial Conduct Board or any other authority.

37. Respondent admittedly made false statements of material fact in her written response to the Inquiry from the Judicial Conduct Board.

38. By her conduct as alleged in paragraphs 5 through 37 above, Respondent violated the following Rules of Professional Conduct:

(a) Rule of Professional Conduct 3.5(a) - a lawyer shall not seek to influence a judge, juror, prospective juror, or other official by means prohibited by law.

(b) Rule of Professional Conduct 8.1 (a) - an applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not knowingly make a false statement of material fact.

(c) Rule of Professional Conduct 8.3 (b) - a lawyer who knows that a Judge has committed a violation of applicable Rules of Judicial Conduct that raises a substantial question as to the Judge's fitness for office shall inform the appropriate authority.

(d) Rule of Professional Conduct 8.4 (c) - it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

(e) Rule of Professional Conduct 8.4 (d) - it is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

(f) Rule of Professional Conduct 8.4 (f) - it is professional misconduct for a lawyer to knowingly assist a judge or judicial officer in conduct that is a

violation of applicable rules of judicial conduct or other law.

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a suspension of one year and one day.

Respondent hereby consents to the discipline being imposed upon her. Attached to this Petition is Respondent's executed Affidavit required by Rule 215(d), Pa.R.D.E., in which she states that she consents to the recommended discipline and includes the mandatory acknowledgments contained in Rule 215(d)(1)-(4), Pa.R.D.E.

In support of Petitioner's and Respondent's joint recommendation, it is submitted that the following mitigating circumstances are present:

(a) Respondent admits to engaging in misconduct and violating the charged Rules Of Professional Conduct;

(b) Respondent's misconduct was a single incident related to intervening on behalf of her son with a civil case pending before the Philadelphia Municipal Court;

(c) Respondent presented strong character witnesses before the Court of Judicial Discipline who testified, that as a Judge, Respondent was well versed in Family Law and had an excellent reputation for being a hard worker, conscientious and compassionate;

(d) Respondent was removed from the Bench by the Court of Judicial Discipline and deemed ineligible to hold judicial office in the future;

(e) Respondent has cooperated with Petitioner as evidenced by Respondent's admission herein and her consent to receiving a suspension of one year and one day.

The following aggravating circumstances are also present:

(a) Respondent's misconduct occurred while serving as a Philadelphia Common Pleas Court Judge;

(b) Respondent, during the initial investigation by the Judicial Conduct Board, denied any inappropriate communication between herself and Judge Waters concerning her son's case.

(c) Respondent's misconduct involved intervening in the judicial process on behalf of a family member, her son, Ian Rexach.

Respondent was removed from the bench by the Court of Judicial Discipline after a trial and sanctions hearing. The issue of discipline regarding the Respondent's license to practice law, however, is reserved for the Pennsylvania Disciplinary Board and the Pennsylvania Supreme Court. There are a number of disciplinary cases involving the disbarment, or suspension, of former members of the judiciary.

It is noteworthy that in the majority of the cases where a former judge was disbarred, the judge was also convicted of criminal offenses related to their misconduct. In *In Re Jules Melograne*, 812 A.2d 1164 (Pa. 2002), Melograne, who served as a district justice, conspired with court employees to affect the outcome of statutory appeals. He was convicted in federal court of conspiracy to violate civil rights. Melograne was ultimately disbarred in the disciplinary proceedings by the Pennsylvania Supreme Court.

In *Office of Disciplinary Counsel v. David J. Murphy*, 188 DB 2010 (2013), Murphy, who was a Magisterial District Judge, forged signatures on nominating petitions for his re-election. The Court of Judicial Discipline removed him from the bench. As a result of his conduct, he was charged, and pled guilty, to 64 counts of



forgery and related offenses. The Pennsylvania Supreme Court disbarred him in the Disciplinary matter.

In *Office of Disciplinary Counsel v. Francis Peter Eagen, III*, 102 DB 2003 (2003), Eagen served as a Common Pleas Judge in Lackawanna County. In his role as Judge, Eagen appointed an insurance agent, with no prior estate experience, to serve as guardian of several incapacitated persons. The guardian ultimately diverted funds from those estates. Eagen was charged, and convicted, of Unsworn Falsification to Authorities and related offenses. The Court of Judicial Discipline removed Eagen from office and he was disbarred in the Disciplinary matter by the Pennsylvania Supreme Court.

Respondent's case is dissimilar to the above cases, which resulted in disbarment, in that she was not convicted of a crime, was never charged with a crime, nor engaged in any criminal activity.

There is support for this joint recommendation that Respondent be suspended for one year and one day when analogized to *Office of Disciplinary Counsel v. Kelly S. Ballentine*, No. 142 DB 2013. Ballentine was a Magisterial District Judge in Lancaster County who was cited for parking violations by the Lancaster city

police. Ballentine accessed the MDJS computer system and dismissed the citations issued against her. Ballentine was charged, and pled guilty, to three (3) misdemeanor counts of Tampering with Public Records and Obstructing Administration of Law. She was suspended from her judicial duties from February 22, 2012 through May, 2013 and placed on probation by the Court of Judicial Discipline until December 31, 2014. Ballentine's license was suspended for a period of one year on a Joint Petition in Support of Discipline on Consent, which was recommended by the Disciplinary Board and granted by the Pennsylvania Supreme Court.

There are both similarities and differences between Respondent's case and *Ballentine*:

(a) While serving as a Magisterial District Judge, Ballentine engaged in misconduct that benefited herself, i.e., she accessed the MDJS system and dismissed citations issued against herself. Likewise, Respondent used her role as a Common Pleas Judge to contact a fellow Judge to intervene in the judicial system, for a personal reason, i.e. to assist her son;

(b) Ballentine's actions involved the dismissal of three (3) citations issued against her. Respondent's misconduct

was limited to a single incident related to assisting her son with a civil matter pending before the Philadelphia Municipal Court;

(c) Ballentine pled guilty to criminal charges of tampering with Public Records and Obstructing Administration of Law, which serves as an automatic basis for discipline pursuant to Pa.R.D.E. 214. Respondent was never charged, nor convicted, with any criminal offense;

(d) In the Judicial Conduct Proceedings, Ballentine was suspended from the bench for fifteen (15) months and placed on probation for eighteen (18) months. Respondent, however, was removed from the bench and deemed ineligible to hold judicial office in the future.

While there are variances between Ballentine and Respondent's case, in looking at all of the factors, and the sanctions imposed by the Court of Judicial Discipline, there is support that a one year and one day suspension is appropriate in Respondent's case, and will subject Respondent to the requirements of reinstatement pursuant to Rule 218, Pa.R.D.E.

WHEREFORE, Petitioner and Respondent respectfully request that, pursuant to Rule 215(e) and 215(g), Pa.R.D.E., the three member panel of the Disciplinary Board review and approve the above Joint Petition In Support Of Discipline On Consent for the imposition of a one year and one day suspension from the bar of the courts of this Commonwealth.

Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION  
CHIEF DISCIPLINARY COUNSEL

By James M. Fox  
James M. Fox, Esquire  
Disciplinary Counsel

and

By Angeles Roca  
Angeles Roca, Esquire  
Respondent

and

By Samuel C. Stretton  
Samuel C. Stretton, Esquire  
Counsel for Respondent

BEFORE THE DISCIPLINARY BOARD OF THE  
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v. :  
:  
ANGELES ROCA, : Attorney Registration No. 77526  
:  
Respondent : (Philadelphia County)

VERIFICATION

The statements contained in the foregoing Joint Petition In Support Of Discipline On Consent Under Rule 215(d), Pa.R.D.E. are true and correct to the best of my knowledge, information and belief and are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to Unsworn Falsification to Authorities.

2-28-19

Date

James M. Fox  
James M. Fox, Esquire  
Disciplinary Counsel

2/26/19

Date

Angeles Roca  
Angeles Roca, Esquire  
Respondent

2/20/19

Date

Samuel Q. Stretton  
Samuel Q. Stretton, Esquire  
Counsel for Respondent

BEFORE THE DISCIPLINARY BOARD OF THE  
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OFFICE OF DISCIPLINARY COUNSEL, :  
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: v. :  
: ANGELES ROCA, : Attorney Registration No. 77526  
: Respondent : (Philadelphia County)

AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.


Respondent, Angeles Roca, hereby states that she consents to a suspension of one year and one day, as jointly recommended by Petitioner, Office of Disciplinary Counsel and Respondent in the Joint Petition In Support Of Discipline On Consent and further states that:

1. Her consent is freely and voluntarily rendered; she is not being subjected to coercion or duress; and she is fully aware of the implications of submitting the consent; and she has consulted with counsel in connection with the decision to consent to the imposition of discipline;

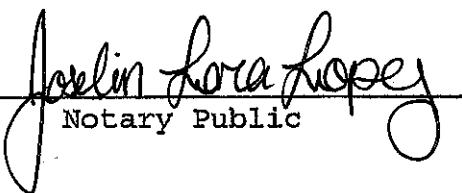
2. She is aware that there is a pending proceeding involving allegation that she has been guilty of misconduct as set forth in the Joint Petition;

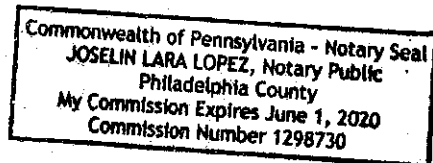
3. She acknowledges that the material facts set forth in the Joint Petition are true; and

4. She consents because she knows that if the matter pending against her is prosecuted, she could not successfully defend against the charges.

  
Angeles Roca, Esquire  
Respondent

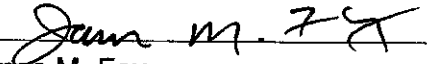
Sworn to and subscribed  
Before me this 26<sup>th</sup> day  
of February, 2019.

  
Notary Public



**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: James M. Fox  
Signature:   
Name: James M. Fox  
Attorney No. (if applicable): 58824