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STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

8 In Propria Persona

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10 **STATE BAR COURT**
11 **HEARING DEPARTMENT – LOS ANGELES**
12

13 In the Matter of:

14 ROBERT ARTHUR BARTLETT,
15 No. 197966,

16 A Member of the State Bar.

) CASE NO.: 17-O-05188

) **RESPONSE TO NOTICE OF**
) **DISCIPLINARY CHARGES AND**
) **REQUEST FOR ADMISSION INTO THE**
) **ALTERNATIVE DISCIPLINE**
) **PROGRAM [Rule 5.381(B)]**

) Assigned to:

) The Honorable Cynthia Valenzuela

) Hearing Date: October 1, 2018 (ISC)

) Trial Date: None Set

) Time: 10:00 a.m., P.S.T.

) Place: Courtroom D

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20 TO THE HONORABLE CYNTHIA VALENZUELA, THE OFFICE OF THE
21 CHIEF TRIAL COUNSEL OF THE STATE BAR OF CALIFORNIA, AND TO TRIAL
22 COUNSEL OF RECORD:

23 ROBERT ARTHUR BARTLETT (hereinafter referred to as "Respondent") hereby
24 submits his RESPONSE TO NOTICE OF DISCIPLINARY CHARGES AND REQUEST
25 FOR ADMISSION INTO THE ALTERNATIVE DISCIPLINE PROGRAM with respect
26 to the Notice of Disciplinary Charges filed on August 20, 2018, as follows:
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**RESPONSE TO NOTICE OF DISCIPLINARY CHARGES AND REQUEST FOR ADMISSION
INTO THE ALTERNATIVE DISCIPLINE PROGRAM**

1 **JURISDICTION**

2 1. Respondent admits the allegations contained in Paragraph One (1) of the
3 Notice of Disciplinary Charges.
4

5 **COUNT ONE**

6 2. Respondent denies the allegations and assumptions stated in Paragraph Two
7 (2) of the Notice of Disciplinary Charges.
8

9 **COUNT TWO**

10 3. Respondent denies the allegations and assumptions stated in Paragraphs
11 Three, Four, Five and Six (3,4,5 and 6) of the Notice of Disciplinary Charges.
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13 **AFFIRMATIVE DEFENSES**

14 1. The Notice of Disciplinary Charges and every count in it, fails to plead a
15 disciplinable offense.

16 2. Counts 1 and 2 fail to contain facts, in concise and ordinary language,
17 comprising the violations in sufficient detail to permit the preparation of a defense as
18 required by Rule 5.41(B)(2), Rules of Procedure of the State Bar of California.

19 3. Counts 1 and 2 fail to provide adequate notice of the conduct alleged to
20 violate the rule, and fail to relate stated facts to rules allegedly violated as required by Rule
21 5.41(B)(3), Rules of Procedure of the State Bar of California and applicable case law [*In*
22 *the Matter of Glasser* (Review Dept 1990) 1 Cal.State Bar Ct. Rptr. 163; *In the Matter of*
23 *Varakin* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 179.)
24

25 **REQUEST FOR THE ALTERNATIVE DISCIPLINE PROGRAM**

26 Briefly stated, on October 15, 2011, Respondent was unarming his hunting rifle at
27 the back of his 2010 Chevy Suburban. Respondent didn't notice his seven (7) year old
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1 son, Connor, had climbed into the rear passenger seat. While attempting to unload the
2 chamber of his hunting rifle, Respondent switched the safety to off, accidentally causing
3 the weapon to discharge. The bullet pierced Connor's back and obliterated his heart and
4 lungs. Respondent found his son gasping for air, and after they had made eye contact for a
5 fraction of a second, Connor's eyes rolled up into his head and closed forever.
6

7 Even though Respondent had two children attending college, he spent the next year
8 and a half contemplating when and how to commit suicide. It was a forgone conclusion at
9 that time. Respondent initially refused to medicate, but when he realized that his two
10 children still needed his support to finish obtaining their college degrees, he felt trapped,
11 and decided to turn to marijuana as an alternative to modern medicine.
12

13 From early 2013 through November 2016, Respondent used marijuana almost
14 daily, and spent as many as three weeks at a time locked in his house trying to cope with
15 severe depression and suicidal thoughts. In June 2016, Respondent's mother was admitted
16 into the hospital with pneumonia, and after the doctors provided all the treatment they were
17 willing to provide, she was sent home on hospice to die. Respondent immediately moved
18 in with his mother, and together with the help of his two sisters, they were able to
19 miraculously nurse their mother back to health. Respondent lived with his mother from
20 June through November 2016.
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23 On the morning of Thanksgiving day 2016, Respondent's mother fell while trying
24 to get out of bed to use the restroom. She suffered a subdermal hematoma and an instable
25 fracture in her C-1 vertebrae. The doctors said that her only hope was brain surgery to
26 relieve the pressure in her skull, and spinal surgery to stabilize the fracture in her neck.
27 Respondent and his two sisters declined those surgeries since their mother had already
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1 gone from 140 pounds to 88 pounds due to her previous bout with pneumonia.
2 Respondent's mother slipped into a coma in the afternoon on November 24, 2016, and she
3 died on the morning of November 27, the day before Respondent's birthday (11/28).
4

5 Losing his mother shortly after the fifth anniversary of his son's death was too
6 much for Respondent to handle. He immediately started using marijuana daily from the
7 moment he woke in the morning until the moment he passed out in the evening. Also,
8 whenever he had the opportunity, he would drink as many as two bottles of wine per day in
9 addition to his marijuana use. Needless to say, he was drunk and high for approximately
10 90 days straight. Crying became as regular as his usual smile, and depression seemed to be
11 a new way of life. After catching pneumonia in March of 2017, Respondent stopped
12 smoking marijuana and sobered up for 90 days straight, before the vivid memories of his
13 son's death became intolerable again.
14

15 Respondent spent the next six (6) months again contemplating suicide. By this
16 time both of his older children had graduated with college degrees and were both
17 sustaining themselves financially. Connor was born on October 28, 2003, and died on
18 October 15, 2011. After suffering through the sixth anniversary of Connor's death,
19 Respondent knew he would not be able to handle another birthday, knowing that the first
20 anniversary of his mother's death was looming in November. Respondent again decided to
21 end his life. In a miraculous revelation, Respondent realized, for the first time in his life,
22 what it means to "die to self", as talked about in the Holy Bible. At that moment,
23 Respondent made the conscious decision to give his life to Jesus, and he began to follow.
24
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26 Since Respondent's conversion experience in October 2017, he has not had one
27 suicidal thought. For the first time since Connor's death, Respondent has HOPE of a better
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1 future, and faith in a God who loves even the worst of people. Until that moment,
2 Respondent didn't think he could ever hate anyone in this world more than himself. The
3 hope found in his relationship with Jesus has allowed Respondent to experience joy and
4 happiness for the first time since Connor's death. Every day brings new struggles, but the
5 depression has gone, and the smile has returned, thanks to Jesus. Most importantly,
6 Respondent has stopped "surviving", and has begun living again.
7

8 Respondent spent many years struggling to survive, mentally, emotionally and
9 financially. He exhausted every available credit source, and spent many days without
10 money for food or gas. For several years he was sending his children a combined \$3,500
11 per month for their living expenses, sometimes leaving him with no money for his own
12 expenses. There were times he had no place to sleep, so he slept on the floor of his office
13 or in the backseat of his car. During those dark years from early 2013 through October
14 2017, Respondent made many decisions that he regrets. The only justification that he
15 provides is "survival". Respondent survived, and he is here today to tell his story. Since
16 October 2017, all of Respondent's decisions for "survival" have given way to sound moral
17 and ethical decisions again.
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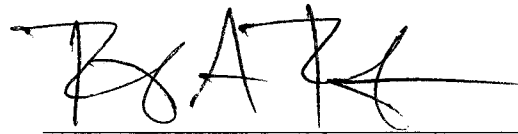
20 After learning of the State Bar's intent to seek disbarment, Respondent
21 immediately enrolled in the Lawyer's Assistance Program, and was accepted into the
22 monitored program. Respondent has been completely sober since July 26, 2018, as evident
23 from his many negative random test results. Since August 1, 2018, Respondent has been
24 attending weekly group meetings in Claremont, California, weekly meetings with "The
25 Other Bar" in Riverside, California, and he checks in daily for random drug testing.
26 Respondent has been able to share his story with dozens of attorneys, most of whom say
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28

1 that he is an inspiration and a beacon of hope. Respondent is committed to stay with the
2 program as long as necessary to prove that he again possesses the moral character to
3 practice law.
4

5 Today, Respondent is not the same person who shot his son in the back on October
6 15, 2011. Since his conversion in October 2017, he is a new person with renewed hope,
7 and he would like another chance to practice law. As Judge Amandariz put it, Respondent
8 engaged in a "fee dispute" with one client in the past 7 years, and he has paid that client
9 everything from the settlement. Accordingly, Respondent respectfully requests that this
10 court consider his request to participate in the Alternate Discipline Program in lieu of
11 formal prosecution.
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13 DATED: September 6, 2018

Respectfully Submitted,

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**PROOF OF SERVICE
STATE OF CALIFORNIA
COUNTY OF RIVERSIDE**

I am employed in the City of Riverside, County of Riverside, State of California. My business address is 9825 Magnolia Ave., B-352, Riverside, California 92503. I am over 18 years of age and not a party to the herein lawsuit.

I hereby certify under penalty of perjury under the laws of the State of California that on **September 21, 2018**, I caused a true and correct copy of the foregoing document to be served by the method indicated below, and addressed to the following:

Office of Chief Trial Counsel (X) U.S. First Class Mail, postage affixed
Patrice Vallier-Glass, Esq.
845 South Figueroa Street
Los Angeles, CA 90017-2515



Linda Puma